# UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

DATE: JUN 16 1999

SUBJECT: Referral to Superfund - Nelson Galvanizing Inc. (NGI) Facility, Long Island City, N. FROM: George Pavlou, Director Division of Enforcement and Compliance Assistance

TO: Richard L. Caspe, Director

TO: Richard L. Caspe, Director

Emergency and Remedial Response Division

I am writing to bring your attention to a matter which may require Superfund involvement. The conditions at Nelson Galvanizing represent a potential threat to safety and the environment. A CERCLA Removal Action occurred at this facility in 1991 during which hazardous and potentially hazardous wastes and materials were consolidated, staged and removed. However, since that time, more waste, including hazardous waste, has accumulated at the facility.

The facility is located at 11-02 Broadway in Long Island City, New York 11106. Since 1994, the facility has been closed and no galvanizing has occurred. Long Island City High School is located down the block. Children from the school frequent the block on which the facility is located. The facility is in disrepair, with walls and ceilings falling down.

In late 1994, EPA and John Sweeney, President of Nelson Galvanizing signed a RCRA Consent Order (Attachment 5) in which Sweeney was to remove all solid and liquid wastes and raw materials that accumulated since the CERCLA clean-up. Removal was to be completed by late 1995.

New York City Department of Environmental Protection (NYCDEP) Industrial Waste Unit (IWU) inspections between 1995 and 1996, found the facility inactive. In April 1997, IWU referred Nelson to the Division of Emergency Response and Technical Assessment. Nelson had shipped off some material and had dismantled a tank. Subsequently, NYCDEP issued a summons to Mr. Sweeney answerable in criminal court. The purpose of the summons is to force Mr. Sweeney to clean up the site. Mr. Sweeney appeared in Court and claimed that he could not afford to conduct a site-wide clean up. A hearing is scheduled for August 5, 1999. However, the Court cannot order Mr. Sweeney to clean up the site. It can, however, impose a criminal penalty. This information was obtained from NYC Department of Law Attorney Michael Williams.

In June 1998, RCB inspected the facility and a sampling inspection was conducted in July 1998. Approximately 60 to 70 drums, some filled and some partially filled with lead contaminated ferrous sulfate sludge were found. The sludge was generated as a result of the emptying and dismantling of a 7,000 gallon tank of sulfuric acid in which iron was cleaned prior to galvanization. We estimate that about one third of the drums may be hazardous waste. In addition, a 3,000 gallon tank partially filled with sulfuric acid and a 3,000 gallon tank partially filled with sodium hydroxide were found. Both are hazardous waste. The acid tank was TC for chromium and the sodium hydroxide tank was hazardous for corrosiveness. A 1,200 gallon tank partially filled with zinc ammonium chloride (not hazardous) was also found. A DESA sampling report is attached (Attachment 1). The facility has virtually no security.

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A RCRA § 3007 Information Request Letter (Attachment 2) was sent to Mr. Sweeney, President of the NGI facility on September 24, 1998. NGI was given thirty (30) days to respond. RCB received no response. As a result, a Notice of Violation (NOV) (Attachment 3) was issued on November 6, 1998. Mr. Sweeney refused to accept this letter.

A second NOV (Attachment 4) was sent to Mr. Sweeney on December 28, 1998 for the following violations: (1) failure to respond to an information request letter; and (2) failure to abide by the requirements of the 1994 consent agreement/consent order (CA/CO) (Attachment 5). It too was not accepted and returned to RCB.

On December 30, 1998, another RCRA § 3007 information request letter (Attachment 6) requesting information on a particular requirement of the CA/CO was sent to Mr. Sweeney. This letter too was refused and returned.

In January 1999, RCB attempted to hand deliver all the above documents. We were permitted to inspect the facility (our observations indicated that there were no apparent changes since July 1998) but John Sweeney once again refused to accept the documents.

If you have any questions please don't hesitate to call me or have a staff member call Phil Clappin of my staff at (212) 637-4129.

Attachments 1 - 7



## RCRA ENFORCEMENT SURVEY SAMPLING INSPECTION

NELSON GALVANIZING INC. Long Island City, New York

NYD001229350

July 23, 1998

Participating Personnel:

U.S. Environmental Protection Agency Robert Morrell, Geologist Thuan Tran, Environmental Scientist William Glynn, Environmental Scientist Phillip Clappin, Geologist

Nelson Galvanizing Inc. Jean-Luc LesCoat

Report Prepared By:

Robert Morrell, Geologist

Approved for the Director By:

Monitoring and Assessment Branch

## RCRA Enforcement Survey Sampling Inspection

## Objective and Site Background

The results of a RCRA sampling investigation in 1990-91 indicated that Nelson Galvanizing was generating and storing hazardous waste at its Long Island City facility. A Superfund removal action was completed at the Nelson Galvanizing facility in 1991 to properly dispose of all hazardous wastes that were being stored on-site. After the removal action was completed, Nelson Galvanizing resumed operations again in 1991 and continued operations for 2-3 years, generating and storing additional hazardous wastes. In 1994, Nelson Galvanizing signed a RCRA Consent Agreement/ Consent Order to remove and dispose of all hazardous waste and hazardous materials. In 1998, the hazardous waste and hazardous materials were still being stored at the Nelson Galvanizing facility.

At the request of the RCRA Compliance Branch, a RCRA sampling investigation was conducted at Nelson Galvanizing on July 23, 1998. The purpose of this investigation is to determine it hazardous waste is being stored on-site. The results of the analyses will be used to determine compliance with regulations pertaining to the Resource Conservation and Recovery Act (RCRA).

## Survey Participants

Nelson Galvanizing Inc. Jean-Luc LesCoat

U.S. Environmental Protection Agency Phillip Clappin, Geologist William Glynn, Environmental Scientist Thuan Tran, Environmental Scientist Robert Morrell, Geologist

## Facility Description

Nelson Galvanizing, a former galvanizing operation, is located on Broadway in Long Island City. New York. The facility received materials made of steel and iron. The material was first cleaned with wire brushes and then sometimes dipped in a sodium hydroxide bath to further remove paint, grease, and other contaminants. The material was then placed in a heated 5% sulfuric acid bath. To keep the iron from oxidizing, the material was placed in a pre-flux solution of zine ammonium chloride. The material was then dipped several times in a vat containing the pre-flux solution floating on molten zinc. The material was allowed to cool before being delivered to the

### customer.

The waste acids were placed in 55-gallon drums, where iron sulfate sludge was precipitated. The iron sulfate sludge is currently being stored in 55-gallon drums throughout the facility. The facility is also being used as a parking garage.

### Sampling Activities

Six drums and three tanks were selected for sampling. All samples were collected while wearing Level C personal protection. The sampling investigation began at Drum #1. Drum #1 consisted of a 55-gallon blue poly drum, half full of a clear liquid. Litmus paper indicated a pH of 11. The drum was sampled using a glass coliwasa. The sample (#090110) was analyzed for Corrosivity.

The sampling investigation continued at Drum #2, which consisted of a 55-gallon steel drum that was 75% full with iron sulfate sludge. Drum #2 was sampled with a polypropylene scoop. The sample (#090111) was analyzed for TCLP Metals.

The sampling team proceeded to Drum #3, which was a 55-gallon steel drum that was half full with iron sulfate sludge. Drum #3 was sampled with a polypropylene scoop. The sample (#090112) was analyzed for TCLP Metals.

The sampling survey continued at Drum #4, which consisted of a 55-gallon steel drum that was 75% full with iron sulfate sludge. Drum #4 was sampled using a polypropylene scoop. The sample (#090113) was analyzed for TCLP Metals.

The sampling team proceeded to Drum #5, which consisted of a 55-gallon steel drum that was 75% full with iron sulfate sludge and a liquid. Litmus paper indicated that the liquid had a pH of 2-3. The sludge sample (#090114) was collected with a polypropylene scoop and analyzed for TCLP Metals. The liquid sample (#090115) was collected with a polypropylene scoop and analyzed for Corrosivity.

The sampling investigation continued at Drum #6, a 55-gallon steel drum. Drum #6 was 75% full with iron sulfate crystals. The sample (#090116) was collected with a polypropylene scoop and was analyzed for TCLP Metals.

Sampling activities continued at the zinc ammonium chloride tank, which was full. Litmus paper indicated a pH of 4. A liquid sample of the tank was collected using a glass coliwasa. This sample (#090117) was analyzed for Corrosivity. A sludge sample of the tank was collected using a rod and clamp. This sample (#090118) was analyzed for TCLP Metals.

The sampling investigation continued at the sodium hydroxide tank, which was two-thirds full and contained no sludge. Litmus paper revealed a pH of 13. A liquid sample (#090121) was collected with a glass coliwasa and was analyzed for Corrosivity.

The sampling team proceeded to the sulfuric acid tank, which was full. Litmus paper indicated that the liquid in the tank had a pH of 2-3. A liquid sample (#090119) of the tank was collected with a glass coliwasa. This sample was analyzed for Corrosivity and TCLP Metals. A sludge sample (#090120) of the tank was collected with a rod and clamp. This sample was analyzed for TCLP Metals.

## **Analytical Results**

Sample :	Sample Matrix	TCEP. Cadmium. (mg/L)	TCLP. Chromium (mg/L)	TCLP Lead (mg/L)	Corrosivity (pH)
#090110 Drum #1	Liquid	<b></b>			10.3
#090111 Drum #2	Sludge	ND	ND	3.1	
#090112 Drum #3	Sludge	0.2	ND	6.8	
#090113 Drum #4	Sludge	ND	ND	ND	
#090114 Drum #5	Sludge	ND	ND	ND	
#090115 Drum #5	Liquid	***	-	## ·	2.2
#090116 Drum #6	Sludge	ND	ND	5.9	
#090117 Zinc Ammonium Chloride Tank	Liquid	<b></b>	<del></del>		4.0
#090118 Zinc Ammonium Chloride Tank	Sludge	ND	ND	4.2	. <del></del>

#090119 Sulfuric Acid Tank	Liquid	1.1	7.6	ND	2.8
#090120 Sulfuric Acid Tank	Sludge	0.2	ND	ND	<del>-</del>
#090121 Sodium Hydroxide Tank	Liquid			<del>-</del>	13.6

## ND - not detected

All samples were placed in coolers with wet ice and transported to the EPA Region II Laboratory in Edison, New Jersey. Only those analytes which were detected are reported in the above table. A complete list of analytes is included in the attached Laboratory Analysis Report.

## Findings and Conclusions

Analytical results indicate that Nelson Galvanizing is storing hazardous waste at its facility in Long Island City:

- Drum #3 Based on the analytical results, the contents of this drum exhibit the RCRA
  characteristic of Toxicity. The TCLP Lead concentration of 6.8 mg/L is above the TCLP
  Lead regulatory level of 5.0 mg/L. This drum should be labelled as a D008 hazardous
  waste.
- 2. Drum #6 The contents of this drum also exhibit the RCRA characteristic of Toxicity. The TCLP Lead concentration is 5.9 mg/L, which exceeds the TCLP regulatory level for Lead (5.0 mg/L). This drum should also be labelled as a D008 hazardous waste.
- 3. Sulfuric Acid Tank The liquid in this tank exhibits the RCRA characteristic of Toxicity. The TCLP Cadmium concentration is 1.1 mg/L, which exceeds the TCLP regulatory level for Cadmium (1.0 mg/L). The TCLP Chromium concentration is 7.6 mg/L, which exceeds the TCLP regulatory level for Chromium (5.0 mg/L). This tank should be labelled as a D006 hazardous waste and a D007 hazardous waste.
- 4. Sodium Hydroxide Tank The liquid in this tank exhibits the RCRA characteristic of Corrosivity. The pH of the liquid in the tank is 13.6, which is well above the regulatory level of 12.5 for Corrosivity.

# Attachments

Photographs (#1-#16)
Laboratory Analysis Report
Chain of Custody
Analysis Request
Field Data Sheets

## PHOTO LOG

Photo #1: Drum #1.

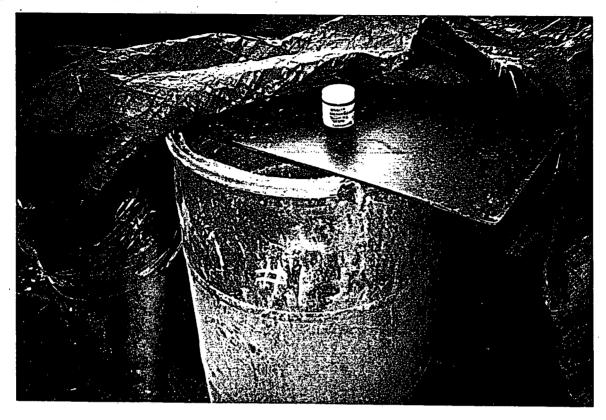


Photo #2: Drum #2.

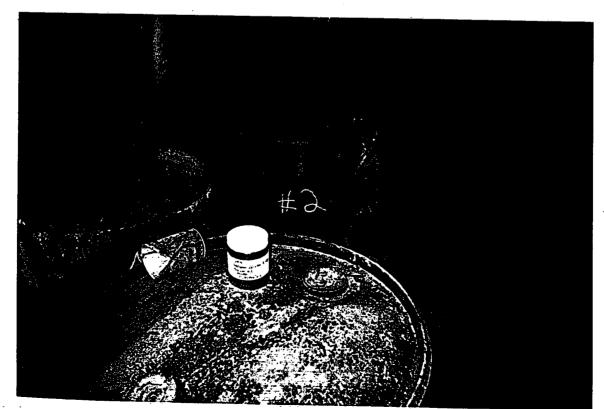


Photo #3: Drum #3.

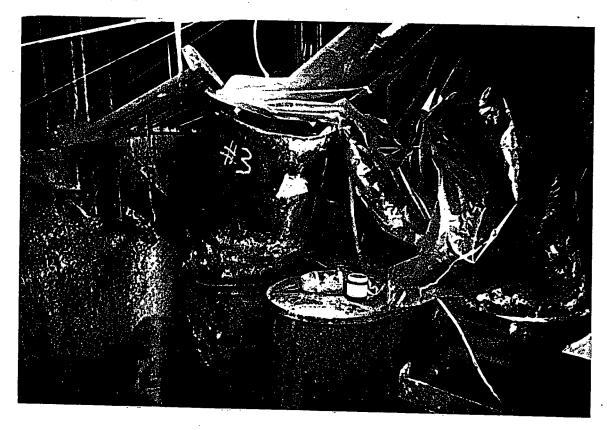


Photo #4: Drum #4.



**Photo #5:** Drum #5.

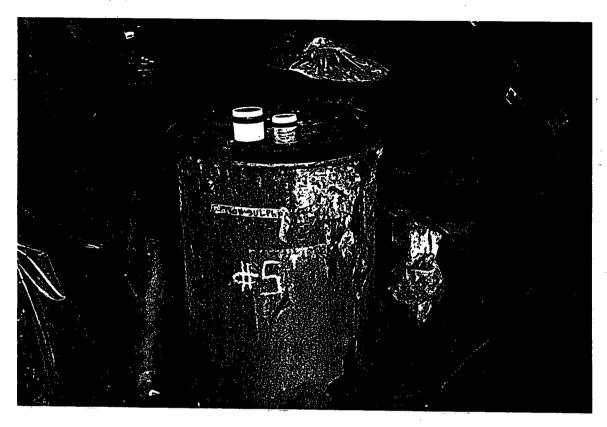


Photo #6: Drum #6.

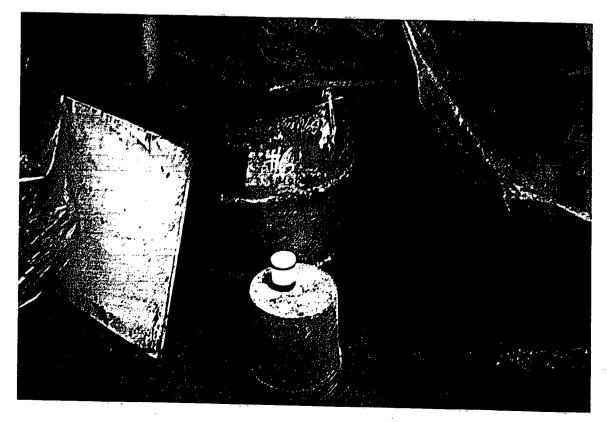


Photo #7: Zinc Ammonium Chloride Tank.

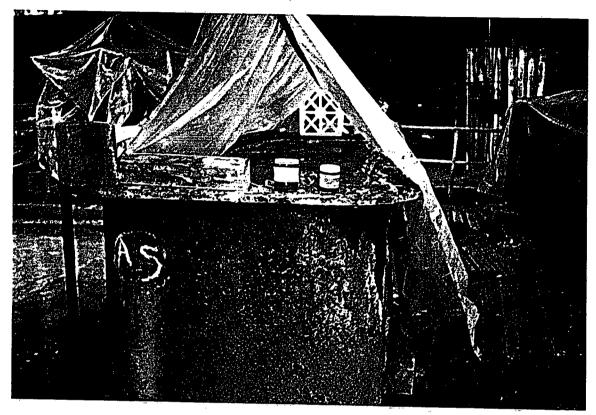


Photo #8: Another view of Zinc Ammonium Chloride Tank.

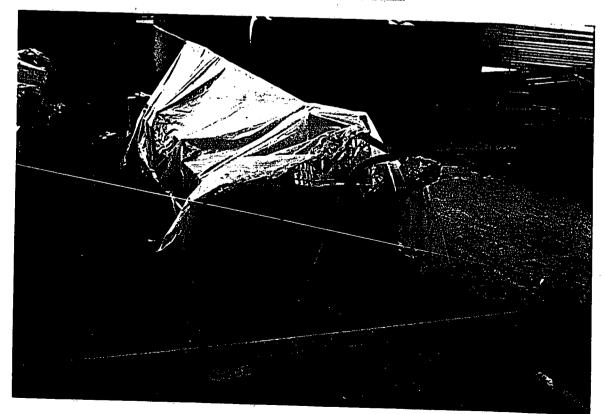


Photo #9: Sodium Hydroxide Tank.

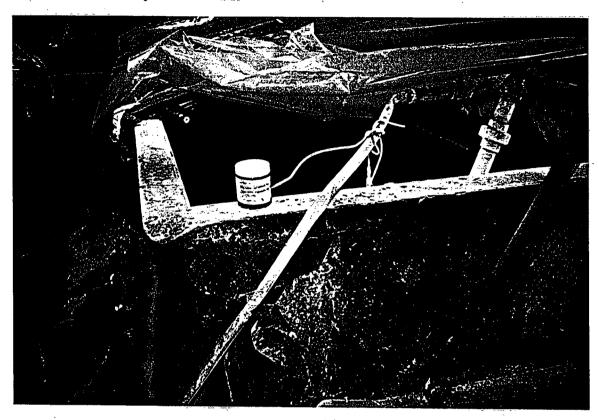


Photo #10: Another view of Sodium Hydroxide Tank.

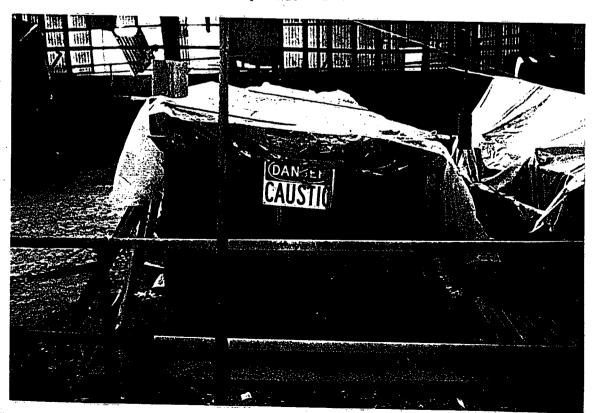


Photo #11: Sulfuric Acid Tank.

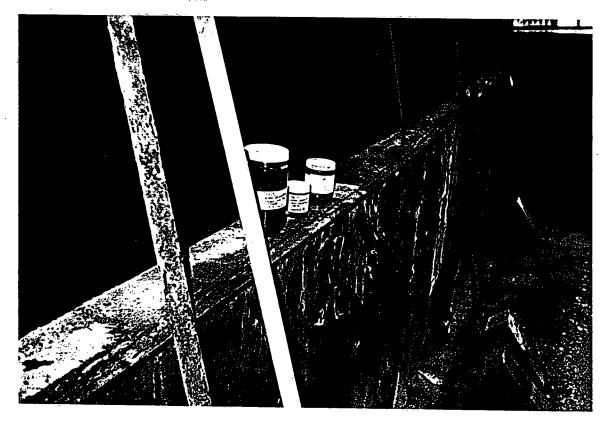


Photo #12: Another view of Sulfuric Acid Tank.

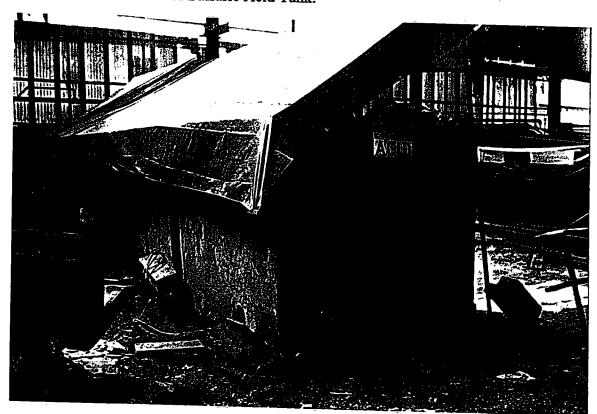


Photo #13: Location where Drum #1 was being stored.



Photo #14: Location of Drum #2 and Drum #3.



Photo #15: Location of Drum #4, Drum #5, and Drum #6.

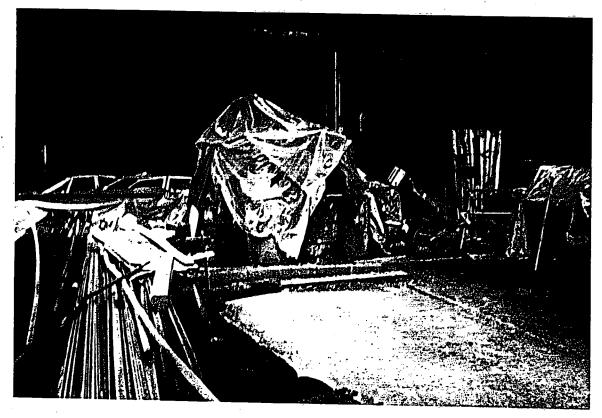


Photo #16: View inside Nelson Galvanizing facility. The left side is currently being used as a parking garage. The right side is used to store hazardous waste.



PROJECT DATE PROJECT NAME

876

98/07/23

NELSON GALVANIZING

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### PROJECT NAME: NELSON GALVANIZING

### EXPLANATIONS OF REMARK CODES

REMARK CODE	EXPLANATION
₿:	RESULTS BASED UPON COLONY COUNTS OUTSIDE ACCEPTABLE RANGE
-J	ESTIMATED VALUE
Κ ,	ACTUAL VALUE KNOWN TO BE LESS THAN VALUE GIVEN
L	ACTUAL VALUE KNOWN TO BE GREATER THAN VALUE GIVEN
N	NO OBSERVABLE EFFECT CONCENTRATION < 0.3%
0	SAMPLED BUT NOT ANALYZED DUE TO LAB ACCIDENT
, <b>T</b>	REPORTED VALUE LESS THAN CRITERIA OF DETECTION
Ü	REPORTING LIMIT

### QA/QC REMARK CODES

CODE	EXPLANATION
QD	ACCURACY CHECK SAMPLE ABOVE UPPER ACCEPTANCE LIMIT
QE	ACCURACY CHECK SAMPLE BELOW LOWER ACCEPTANCE LIMIT
QF:	PRECISION OF CALIBRATION CURVE LESS THAN ACCEPTANCE CRITERIA
QĴ	ESTIMATED DETECTION LIMIT DUE TO INTERFERENCE
QG.	CONTINUING CALIBRATION CHECK DOES NOT MEET ACCEPTANCE CRITERIA
QS	SPIKE RECOVERIES ABOVE UPPER ACCEPTANCE LIMIT
QR	SPIKE RECOVERIES BELOW LOWER ACCEPTANCE LIMIT
QP	SAMPLE REPLICATE PRECISION DOES NOT MEET ACCEPTANCE CRITERIA
QH	RECOMMENDED HOLDING TIMES EXCEEDED
QT	TENTATIVELY IDENTIFIED COMPOUND
QM	PRESENCE OF MATERIAL VERIFIED BUT NOT QUANTIFIED
QB	BLANK CONTAMINATED BY ANALYTE IN EXCESS OF ACCEPTANCE CRITERIA
QQ	SAMPLE IMPROPERLY PRESERVED

LOCATION CODES FOR IDENTIFICATION OF SAMPLING POINTS AT INDUSTRIAL / SANITARY FACILITIES, LANDFILLS, HAZARDOUS WASTE SITES.

CODE NUMBERS	SAMPLING POINTS
1001 - 1050	EFFLUENT PIPE NUMBER 001 TO 050
1051 - 1099	OTHER EFFLUENTS SUCH AS COOLING TOWER DISCHARGE,
	DISCHARGE FROM HOLDING PONDS, ETC
1100 - 1249	IN PLANT SAMPLES
1435 - 1454	SEPARATE INFLUENT POINTS/WATER SOURCES
15xx	INFLUENT ASSOCIATED WITH EFFLUENT 10XX
2000	BLANK FOR VOLATILE ORGANICS
3000 - 3099	GROUND WATER FROM WELL 01 TO 99
3100 - 3199	SEDIMENT SAMPLE (WATER BOTTOM)
3200 - 3299	SOIL SAMPLE
3300 - 3399	STREAM WATER SAMPLE
3400 - 3499	LAGOON SAMPLE
3500 - 3599	STORAGE TANK SAMPLE
3600 - 3699	LEACHATE SAMPLE
3700 - 3799	OTHER TYPE SAMPLE

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# **CHAIN OF CUSTODY RECORD**

Environmental Protection Agency - Region II
Environmental Services Division
EDISON, NEW JERSEY 08817

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# **ANALYSIS REQUEST**

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ENVIRONM	ENTAL P	ROTE	CTION A	AGENCY

FTB RPD-11-82-1

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Specific Aroclors	Oil (Identify)	□ Oil & Gre	ease (Quantitate)	
ANIC ANALYSES	The second secon			
	☐ Alkalinity ☐	TKŇ	□ Cd	□ Ba
ductivity	•	Org N	□ Co	□ Se
nity		NH <sub>2</sub> -N	□ Cú	□ Ag
pride		NO <sub>2</sub> -N	□ Pb	☐ Asbestos
		NO <sub>3</sub> -N	□ Zn	☐ Hexavalent Cr
	☐ Chlorine Residual ☐	Total P	□ Fe	•
solved S	☐ Free ☐	AH-P	□ Cr	,
dness		Ortho-P	□ As	i i
Ca	□ Acidity □	Metal Scan	TELP ALLER O CN.	
Mg		EP Toxicity (		
Total/METHOD	☐ Total ☐	Hg (No	Martury D NI	
IVITY / METHOD				
D	☐ Phosphorous	☐ Pheno		Metals TC4F
High Level ( > 50 mg/l)	☐ Total		1,000 ppb	☐ Total
Low Level (< 50 mg/l)	☐ Dissolved		bové 1,000 ppb	☐ Dissolved
	_ 3.55565	Ų /·	2010 1,000 <u>P</u> PB	☐ Low Sensitivity
		•	,	☐ High Sensitivity
BIOLOGY				
( <b></b>	<b>5</b> 00		BIOLOGY	
MF MPN Est. Ra	_	ringer	[] OA Barra Diaman	Static
	——— ☐ Clostridium perf ——— ☐ Mutagenicity Te		☐ 24 Hour Bioassay ☐ 48 Hour Bioassay	☐ Flow-Through
	☐ Ames Test		☐ 96 Hour Bioassay	☐ Static Replacement ☐ Laboratory
☐ Pathogens	☐ Viral Enhan	cement	☐ Chronic Bioassay	☐ On Site
☐ Bacterial	☐ Other (Spec	/1	☐ Benthos ID	☐ Identify
☐ Viral	□ ATP		☐ Fish ID	☐ Quantitate
ted by K. N.	Date	Approved b	y Fall Marie	Date
<b>:</b>	•	•••		
<del>-</del>				

ENVIRONMENTAL PROTECTION AGENCY - Region II, Edison, New Jersey

# ENVIRONMENTAL SERVICES DIVISION

	10 0 Cal 11	~ ~		Samples to:
Name Name	vison Galvan.	1 6	EPA	
dor(s) Morrali Gilyon Affiliation 4 CEPA			Bact Bio Chem Other	
Clorical		T	13	
Mile			Station No.	
Kemmerer Dre	edge Ponar Manual	DATA BASE CO	ODE	
Niskin Net	Seine Trawl Bucket	1	<b>~</b>	
Trowel Cream	n Dipper	STA. TYPE CO	DE	Sample Depth (Ft.)/Fac. Loc. Code
Other	l', wasa			
			Ou Distantesi	Lab Number
STRATE TYPE (	Circle) Aqueous S	ediment Sludg	e Oil Biological	Lao Number
		tract Other (C	orms. de/Coustil	090110
Western.	00110111			
0 - Seed Suppli	ied 🗆 Yes 🗆 No	Source:		Type of Sample
Sample F	Preparation (Circle)		Source Type (Circle)	Grab Composite
Н-	Cleaning Procedure	Landfill	Industrial	Time Space
mainer se dar	Detergent Wash	Leachate	Effluent	
	Water Rinse	Drum	Process Stream	Collection (Ending) Date
stic Jar	Acid Rinse	Test Well	Holding Pond	Yr Mo Day
etal OA Vial	Solvent Rinse:	Depth:	-Drum	918 017 2 3
. ·	Acetone	Other:	Waste Pile	Ending Time (24 Hr)
bitainer	Hexane		Municipal Treatment	Enough time (ex (a)
cetate Core	Methylene Chloride	Storage Tank	Influent	1/1/46
Mon Cap	Other (Specify):	Тор	Effluent-Cl	\ \
oil Cap	1	Middle	Effluent-Non Cl	Beginning Date
ou oap	Est Precharged	Bottom	Sludge	Yr Mo Day
Other	- Blackman	Truck	Ambient	
Preservation		Drum	Lake	
	<del>- </del>	Tank	Stream	Beginning Time (24 Hr)
AçidSolvent	_	Other	Pond	
Genical	_		Ocean	
el ce		Wells	Estuary	рН
Dry Ice		Monitoring		
Ambient		Production		-     <i>               </i>
Other_		Drinking		C
36	_	Private		Sample Temp. (°C)
Samula 1	Description:			
Sample Location	<del></del>	2		
慧 Ac	1 # 1		,	DO (mg/l)
The state of the s	•			
The state of the s				
A Table 1		·		Cond. (uMHOS/CM)
The state of the s			-	
The state of the s				
				Salinity(% <sub>0</sub> )
		<del></del>		Gammi, (700)
Remarks:	13.			
荔	nalysies ion glass jon f	^		
	t an alone or t	or long	8.0.70	Sample Split
際ノナ	W. M	••	· •/	☐ Yes ☐ No
		•		If Yes With Whom?
				Receipt □ Yes ਦਿੰNo
		•	,	Heceipt 1100 1100
	•		•	· ·

sect Name	elson Galvan.	2.10		Samples to:
antor(s)	reliblion Att	iliation LUS	EMA	Bact Bio Chem Other
			H	
MPLING METHOD		LDMS CODE _		Station No.
1 Nous	edge Ponar Manual Seine Trawl Bucket	DATA BASE CO	DE	
100		STA. TYPE COL		
Trowel Cream	ii Dippei	SIA. ITPE COL	/c	Sample Depth (Ft.)/Fac. Loc. Code
Other Plas	tic Scoon			
Onio.		<u> </u>		1
BSTRATE TYPE (	Circle) Aqueous Se	diment Sludge	Oil Biological	Lab Number
Coltan Status Status	Solvent Ext	ract Other (	)	090111
<del>-</del>				
900 — Seed Suppl	ied	Source:	ource Type (Circle)	Type of Sample Grab Composite
	Preparation (Circle) Cleaning Procedure	Landfill	Industrial	Time Space
container	Detergent Wash	Leachate	Effluent	1 × 1
Hassilar Mastic Jar	Water Rinse	Drum	Process Stream	Collection (Ending) Date
Metal	Acid Rinse	Test Well	Holding Pond	
e Metai POA Vial	Solvent Rinse:	Depth:	Drum>	Yr Mo Day,
Cubitainer	Acetone	Other:	Waste Pile	
Acetate Core	Hexane		Municipal Treatment	Ending Time (24 Hr)
Paper Cap	Methylene Chloride	Storage Tank	Influent	71/1/151/1
Tellon Cap>	Other (Specify):	Тор	Effluent-Cl	
Foil Cap		Middle	Effluent-Non Cl	Beginning Date
Other	- And American	Bottom	Sludge	Yr Mo Day
40	ESS Automoi	Truck	Ambient	
Preservation		Drum	Lake	
Acid		Tank	Stream	Beginning Time (24 Hr)
Solvent	_	Other	_ Pond	
Chemical	_		_ Ocean	
Wet Ice		Wells	Estuary	рН
Dry Ice		Monitoring		
Ambient	Γ.	Production		
Other	_	Drinking		Sample Temp. (°C)
		Private		
Sample Location	Description:			
<b>小</b>	rum #2			DO (mg/l)
	s Crant Car	•		
3. 20				
	•		. "	Cond. (uMHOS/CM)
				Salinity(%)
Remarks:	· · · · · · · · · · · · · · · · · · ·		·	- Camirity (100)
国一 A	alysis.			
-	*	·		Sample Split
18.	ros plassiar 6	in telp	Metals	
	F 1200 F		,*	☐ Yes ☐ No
				If Yes With Whom?
4	y.			Receipt 🗆 Yes 🖃 No
100 m	•			1.906ibr P 163 E 140
<b>4</b> 2		:		1

Name	elson Galvan, z	<u>, na                                    </u>	The state of the s	Samples to:
Jons) Mon		filiation (A S	2. EPA	Bact Bio Chem Other
ING METHOD		LDMS CODE _	H	Station No.
remmerer Dre	edge Ponar Manual	DATA BACE CO	DDE E	
·3 - Poles.	Seine Trawl Bucket	DATA BASE CO	JUE	
frowel Cream	Dipper	STA. TYPE COL	DE	Sample Donth /Et VEne Lee Code
Automatic Dia	H.c Senco			Sample Depth (Ft.)/Fac. Loc. Code
Other	m.c. seado		*	
3. 12.12.1				<del>                                    </del>
STRATE TYPE (C	Circle) Aqueous Se	diment Sludge	Oil Biological	Lab Number
	Solvent Ext	ract Other (	)	090112
Seed Supplie				<u> </u>
9 = Seed Supplie	ed □ Yes □ No reparation (Circle)	Source:	ource Type (Circle)	Type of Sample
Sample Pr	Cleaning Procedure	Landfill	Industrial	Grab Composite
ss Jap	Detergent Wash	Leachate	Effluent	Time Space
dic Jar	Water Rinse	Drum	Process Stream	
stic Jar	Acid Rinse	Test Well	Holding Pond	Collection (Ending) Date
o Vial	Solvent Rinse:	Depth:	Drum	
bitainer	Acetone	Other:	Waste Pile	
cetate Core	Hexane		Municipal Treatment	Ending Time (24 Hr)
aper Cap	Methylene Chloride	Storage Tank	Influent	11/1/15131
ellon-Cap	Other (Specify):	Тор	Effluent-CI	
foil Cap Other	For Pristaned	Middle	Effluent-Non Cl	Beginning Date
Other	ESS Precleaned Glassware	Battom	Sludge	Yr Mo Day
	@1022003C	Truck	Ambient	
heservation		Drum	Lake	
leidSolvent		Tank	Stream	Beginning Time (24 Hr)
Chemical		Other	Pond	
let lice.		Wells	Ocean	
Dry Ice		Monitoring	Estuary	pH
Ambient		Production		
Other	·	Drinking		
21.		Private		Sample Temp. (°C)
Sample Location De	escription:			
\$ A	7 = N	•		PO ( 1)
記しい。	MJ 6 1		·	DO (mg/l)
Jackson				
<b>3</b>				Cond (uMHOS/CM)
				Cond. (uMHOS/CM)
		-		
<b>3.</b>				Colinity(9/ )
Remarks:	•			Salinity(% <sub>0</sub> )
HA	alysis	•		
1 8.00	. glass par so.	- TCLP.	Metali	Sample Split
		• •		☐ Yes ☐ No
<b>√</b> ;			·	If Yes With Whom?
E-			•	Receipt □ Yes □ No
		<u>,                                     </u>		l les U NO

NameA	Wire balven	7-100		Samples to:		
dor(s)	TUIL GLYMA A	ffiliation 1	C EPA	I	io Chem	Other
PLING METHO	D (Circle)	LDMS CODE	[i	Charles No.		
V5 - 1200 - 1000	redge Ponar Manual		CODE E	Station No.	<del></del>	
Niskin Net	Seine Trawl Bucket	DATA BASE C	CODE			
Trowel Crear		STA. TYPE CO	DDE		<del></del>	<u> </u>
Automatic Pla	mia Samora			Sample Depth	(Ft.)/Fac. Loc	. Code
Other	Hic Sees		•		-	
STRATE TYPE (		ediment (Sludg	e Oil Biological			
			e on Biological	Lab Number	<del></del>	·
	Solvent Ext	ract Other (	_ )	11 090	0113	
n - Seed Suppl	ied □ Yes □ No	Source:	· · · · · · · · · · · · · · · · · · ·	Type of Samp		
	Preparation (Circle)		Source Type (Circle)	Grab	Composite	
etainer	Cleaning Procedure	Landfill	Industrial		Time Space	1
rijar -	Detergent Wash	Leachate	Effluent			
siic Jar	Water Rinse	Drum	Process Stream	Collection (Er	iding) Date	
Mai OA Viai	Acid Rinse	Test Well	Holding Pond		10 Day	
bitainer	Solvent Rinse: Acetone	Depth:	Drum Dill		- A   -7	
catate Core	Hexane	Other:	Waste Pile	Ending Time	(24 Hr)	•
per Cap	Methylene Chloride	Storage Tank	Municipal Treatment	1		
eion Cap	Other (Specify):	Top	Effluent-Cl	117//15	6	
don Cap di Cap the		\$45-43	Effluent-Non Cl	Beginning Da	 to	
aher	12 ST Areciniano	Bottom	Sludge		no Day	1
	EST Prechard	Truck	Ambient	11 7 1 "	l lay	
reservation	] 19 1232 Ware	Drum	Lake	<del></del>	<del></del>	l
lcid Savent		Tank	Stream	Beginning Tir	ne (24 Hr)	
	•	Other	_ Pond			
Demical	-		_ Ocean			
GLICO-		Wells	Estuary	pH		
By Ice		Monitoring				
Ambient Other		Production	·			
	•	Drinking		Sample Temp		
ample Location De	osorintion:	Private	<u> </u>	- Cample Terms	<u>. ( )</u>	0
	um #T			DO (mg/l)		
-	. •					
		-		Cond. (uMHO	S/CM)	
					III	
The state of the s			<u> </u>	Salinity(% <sub>e</sub> )		•
marks:	1	· <del></del>				
# Ana	lysis:					
8-00	plass jar for	TCLP	Metalr	Sample Split		
	1 1	r		☐ Yes	Ø No	
<b>3</b>			•			
	0	•		If Yes With W	/nom?	<i>f</i>
				Receipt [	⊒ Yes	No

Name	elson colvani	2110		Samples to:	
ctor(s)	religion A	fillation $J$ $U$	S EPA	Bact Bio Chem Other	]
PLING METHOD	) (Circle) edge Ponar Manual	LDMS CODE		Station No.	] 
Niskin Net	Seine Trawl Bucket	DATA BASE C	CODE		
Trowel Crean	n Dipper	STA. TYPE CO			لــــــــــــــــــــــــــــــــــــــ
Automatic	1,0 Scoop			Sample Depth (Ft.)/Fac. Loc. Code	٠
Other	710-3 0000	1			
STRATE TYPE (	Circle) Aduceus C	adimont of the	Disposition of the second		
TO THE WAR	Circle) Aqueous Se	ediment Sivido	je) Oil Biological	Lab Number	
		ract Other (	)	090114	
00 — Seed Suppli		Source:		Type of Sample	
	reparation (Circle)		Source Type (Circle)	Grab Composite	
ontainer ass Jar	Cleaning Procedure	Landfill	Industrial	Time Space	
Mastic Jar	Detergent Wash Water Rinse	Leachate Drum	Effluent Process Stream		
vetal	Acid Rinse	Test Well	Holding Pond	Collection (Ending) Date	
FPOA Vial	Solvent Rinse:	Depth:	Drum)	Yr Mo Day	
Cubitainer	Acetone	Other:	Waste Pile	4501143	
Acetate Core	Hexane		Municipal Treatment	Ending Time (24 Hr)	
Paper Cap	Methylene Chloride	Storage Tank	Influent		
fellen Cap	Other (Specify):	Тор	Effluent-Cl	1/59	
Foil Cap	EST Prestrone	Middle	Effluent-Non Cl	Beginning Date	
Other	- 11 11 10 10 20	Bottom	Sludge	Yr Mo Day	
	ESS Precleared Glassmane	Truck	Ambient		
Preservation		Drum	Lake		
Acid Solvent		Tank	Stream	Beginning Time (24 Hr)	
Chemical		Other	_ Pond		
Wet ice		Wells	_ Ocean		
Dry Ice		Monitoring	Estuary	рН	
Ambient	·	Production			
Other	,	Drinking	· ·		
	].	Private	·	Sample Temp. (°C)	
Sample Location De	escription:	· · · · · · · · · · · · · · · · · · ·			
Drew	125-514da-	,		DO (mg/l)	
- C. C.	, , , , , , , , , , , , , , , , , , , ,	·-		· · · · · · · · · · · · · · · · ·	
<del></del>		•	***		-
4				Cond. (uMHOS/CM)	
Ţ.,					
\$ \$	•				
			· · · · · · · · · · · · · · · · · · ·	Salinity(% <sub>o</sub> )	
Remarks:		<del></del>			
	A212.	*			
。 1 そご	2. glass jar	ter TUL	_P Metall	Sample Split	
. <del></del> ∕				☐ Yes ☐ No	
<b>*</b>				If Yes With Whom?	
7. 2. <del>7</del>				1 p	
<u>.</u> .				Receipt ☐ Yes ☑ No	
		•	•		

	lekan Galvan	Samples to:		
Moc	rell, Slynn A	filiation J. U.S	SEPA	Bact Bio Chefn Other
VETHOD		<del>                                     </del>	<del></del>	
Dr		LDMS CODE		Station No.
Net	Seine Trawl Bucket	DATA BASE C	ODE	
Cream		STA. TYPE GO	· c	
				Sample Depth (Ft.)/Fac. Loc. Code
Teller	tie Scoop			
	Cirolo) Aguadua C	diment Chair	o Oll Biological	
IISTYPE (C		ediment Sludg	•	Lab Number
	Solvent Ext	ract Other ( 🖰	emsive )	090115
Supplie	ed ☐ Yes ☐ No	Source:	<del></del>	
	reparation (Circle)		ource Type (Circle)	Type of Sample Grab Composite
	Cleaning Procedure	Landfill	Industrial	Time Space
	Detergent Wash	Leachate	Effluent	
	Water Rinse	Drum	Process Stream	Collection (Ending) Date
	Acid Rinse Solvent Rinse:	Test Well	Holding Pond	Yr Mon Day
	Acetone	Depth: Other:	Drum Waste Pile	3/2/0/2/3
Core	Hexane		Municipal Treatment	Ending Time (24 Hr)
THE STATE OF THE S	Methylene Chloride	Storage Tank	Influent	177787
	Other (Specify):	Тор	Effluent-Cl	[1/1/12/5]
	Ess Associated	Middle	Effluent-Non CI	Beginning Date
40 Marin	ESS Ascheined 6 lassware	Bottom	Sludge	Yr Mo Day
mation	0 1497 NOV.	Truck	Ambient	
		Drum Tank	Lake Stream	Posinning Time (8.6 Ltm)
		Other	Pond	Beginning Time (24 Hr)
			Ocean	
		Wells	Estuary	pH
		Monitoring		
		Production		1 2 5
		Drinking		Sample Temp. (°C)
<b>le Location</b> De		Private	1	4 F T T T T T
The state of the s	scription:	•		
<b>N</b>	in 45-1130	3 3 4		DO (mg/l)
	7			
	•			
				Cond. (uMHOS/CM)
数 (1) (2)			•	
rks:				Salinity(% <sub>e</sub> )
Anoly	18.5			
1 4-0	2. 9/25 39 5	ion Corr	seivitu	Sample Split
				☐ Yes ☑ No
				If Yes With Whom?
				Receipt   Yes  No
ş.				

1				
ect Name	elson Galvan.	Zina	S. FPA	Samples to:
ector(s)	rrelliGlynn A	Bact Bio Chem Other		
MPLING METHO		LDMS CODE		Station No.
Niskin Net	Seine Trawl Bucket	DATA BASE	CODE E	Clausi No.
Trowel Crear	m Dipper		<u>Nue</u>	
Automatic 01	_ · 1 · · · · · ·	STA. TYPE C	ODE	Sample Depth (Ft.)/Fac. Loc. Code
Other	75t. c Swop		. •	The second secon
BSTRATE TYPE (	Circle) Assessment			-{ L
	Circle) Aqueous S	ediment (Slud	ge) Oil Biological	Lab Number
	Solvent Ext	tract Other (	· )	090116
00 — Seed Suppli		Source:		030110
	reparation (Circle)		Source Type (Circle)	Type of Sample
container	Cleaning Procedure	Landfill	Industrial	Grab Composite
Bass Jar)	Detergent Wash	Leachate	Effluent	Time Space
Pastic Jar Metal	Water Rinse	Drum	Process Stream	Collection (Earlier) D
POA Vial	Acid Rinse	Test Well	Holding Pond	Collection (Ending) Date
Qubitainer	Solvent Rinse: Acetone	Depth:	Drum >	Pro Mo Day
Acetate Core	Hexane	Other:	_ Waste Pile	
Paper Cap	Methylene Chloride	Storage Tank	Municipal Treatment	Ending Time (24 Hr)
Teflon Cap -	Other (Specify):	Top	Influent Effluent-CI	11/12/5/51
foil Cap	i '	Middle	Effluent-Non Cl	
Other	ESS Precleaned Glasswark	Bottom	Sludge	Beginning Date
	Glasswath	Truck	Ambient	Yr Mo Day
Reservation Acid		Drum	Lake	
Solvent_	, i	Tank	Stream	Beginning Time (24 Hr)
Chemical		Other	Pond	The state of the s
Wet Ice-		144-10	_ Ocean	
Dry Ice		Wells Monitoring	Estuary	рН
Ambient		Production		
Other		Drinking		
<u>*</u>		Private	ļ	Sample Temp. (°C)
Sample Location De	scription:			1 1 1 1 1 1 1
N -	- 			
Uru	(W 4C			DO (mg/i)
		1		
				Cond. (uMHOS/CM)
**		•		
Remarks:	large et	<u> </u>		Salinity(% <sub>0</sub> )
	148.5			
1 / P-5	z glass jer fo	in ICLP	Metak	
G		4	· · · · · · · · · · · · · · · · · · ·	Sample Split
			•	☐ Yes ☐ No
				If Yes With Whom?
				<b>1</b> _1
			,	Receipt  Yes  No

Name	Bleen Galvan	<u>, 7 . 00</u>		Samples to:
dor(s) Mar	rell Slynn A	fillation 1 14.	S. EPA	Bact Bio Chem Other
LING METHOL	(Circle)	LDMS CODE	H	
Kemmerer Dr	edge Ponar Manual	EDMO CODE T	prin	Station No.
Niskin Net	Seine Trawl Bucket	DATA BASE CO	DDE	
frowel Crean				
	i Dipper	STA. TYPE COI	DE	Sample Depth (Ft.)/Fac. Loc. Code
Other Col			•	Campio Septim (in the case Sees
Other	10,705.0			
TOATE TUDE				] L
STRATE TYPE (	Circle) Aqueous Se	ediment Sludge	e Oil Biological	Lab Number
	Solvent Ext	ract Other (	)	000117
<u> </u>		•	-	090117
n – Seed Suppli		Source:		Type of Sample
	reparation (Circle)		ource Type (Circle)	Grab Composite
ntainer	Cleaning Procedure	Landfill	Industrial	_ Time Space
ass Jar	Detergent Wash	Leachate	Effluent	
stic Jar	Water Rinse	Drum	Process Stream	Collection (Ending) Date
المُعَادِّ الْمُعَادِّ الْمُعَادِّ الْمُعَادِّ الْمُعَادِّ الْمُعَادِّ الْمُعَادِّ الْمُعَادِّ الْمُعَادِّ الْمُعَادِّ	Acid Rinse	Test Well	Holding Pond	Yr Mo Day
No Vial	Solvent Rinse:	Depth:	Drum	1 9 3 5 7 2 3
bitainer	Acetone	Other:	Waste Pile	
tetate Core	Hexane .		Municipal Treatment	Ending Time (24 Hr)
pper Cap	Methylene Chloride	Storage Tank	Influent	
don Cap>	Other (Specify):	Тор	Effluent-Cl	1/2/2
oil Cap	l		Effluent-Non Cl	Beginning Date
Ther	Ell Lisciended	Bottom	Sludge	Yr Mo Day
6	ESS Precleaned  GBSSUGTE	Truck	Ambient	
reservation	023300	Drum	Lake	
kaid		Tank	Stream	Beginning Time (24 Hr)
ovent		Other	Pond	
Memical			Ocean	
el lce	·	Wells	Estuary	
by ice		Monitoring	1	pH
ambient		Production		
Other		Drinking		
2		Private		Sample Temp. (°C)
Sample Location D	escription:	1	<u> </u>	
		A11.	Tak = 1: 11	
M Zinc	. Ammonium	Whom, and	FN 61-1- 1461	DO (mg/l)
£.	•	•		
	•			
	) <del>-</del> .	-		Cond. (uMHOS/CM)
<b>X</b> -			•	()
100 mg	•			
				0.00
emarks.	*			Salinity(% <sub>a</sub> )
Anoi	1818		,	
		,	. 1	
# / JJ-A-	dass jar for	· Garas,	7.TU	Sample Split
	All las in	- 4,0		1
				` □ Yes ᡚ No
				If Yes With Whom?
				Receipt □ Yes ☑ No
			•	

Name	1215on Galvan.	2100		Samples to:
ctor(s) Mc	erally Glynn Ar	filiation 1 14	C EPH	Bact Bio Chem Other
The last of the la	D (Circle) Iredge Ponar Manual Seine Trawl Bucket	LDMS CODE _	A DOE E	Station No.
• • •	m Dipper	STA. TYPE CO	ne F	
Automatic		SIA, TIPE OO	UC	Sample Depth (Ft.)/Fac. Loc. Code
Other	1 + Clamp			
STRATE TYPE		ediment Sludgeract Other (	Oil Biological	Lab Number
⊋ n ← Seed Supp		Source:	•	
	Preparation (Circle)		ource Type (Circle)	Grab Composite
ntainer	Cleaning Procedure	Landfill	Industrial	Time Space
es Jac	Detergent Wash	Leachate	Effluent	1 ×   _
atic Jar	Water Rinse	Drum	Process Stream	Collection (Ending) Date
// tagetal	Acid Rinse	Test Well	Holding Pond	
0 0A Vial	Solvent Rinse:	Depth:	Drum	SYL Mo Day
dig bitainer	Acetone	Other:	Waste Pile	
tale Core	Hexane		_ Municipal Treatment	Ending Time (24 Hr)
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## **UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**

REGION 2 290 BROADWAY NEW YORK, NY 10007-1866

Attachment 6

DEC 3 0 1998

# <u>CERTIFIED MAIL</u> <u>RETURN RECEIPT REQUESTED</u>

Mr. John Sweeney, President Nelson Galvanizing, Inc. 11-02 Broadway Long Island City, N.Y. 11106

RE:

RCRA § 3007 Information Request

Nelson Galvanizing, Inc.

NYD001229350

Dear Mr. Sweeney:

The U.S. Environmental Protection Agency (EPA) is charged with the protection of health and the environment under the Resource Conservation and Recovery Act (RCRA), 42 U.S.C. Part 6901 et seq.

Pursuant to the provisions of Section 3007 of RCRA, 42 U.S.C. Section 6927, EPA hereby requires that you provide the information requested in Attachment I to this letter using the instructions and definitions included in Attachment II. This information is further required to evaluate the compliance of Nelson Galvanizing, Inc. Attachment III, the September 24, 1998 Information Request Letter, and Attachment IV, the Consent Agreement Consent Order (CACO) signed into effect on October 26, 1994 are also enclosed.

Please provide the information requested no later than thirty (30) calendar days from receipt of this letter. Requests for additional time must be made within ten (10) calendar days of receipt of this letter, and must be justified. The response must be signed by a responsible official or agent of your company.

You may, if you so desire, assert a business confidentiality claim covering all or part of the information herein requested. The claim may be asserted by placing on (or attaching to) the information at the time it is submitted, a cover sheet, stamped or typed legend, or other suitable form of notice employing language such as "trade secret", "proprietary", or "company confidential". The claim should set forth the information requested in 40 Code of Federal Regulations (40 C.F.R.) Part 2.204(e)(4). Information covered by such a claim will be disclosed by EPA only to the extent permitted by, and by means of procedures set forth in, 40 C.F.R. Part 2. If no such claim accompanies the information when it is received by EPA, it may be made available to the public by EPA without further notice to you.

This information request is not subject to the requirements of the Paperwork Reduction Act (PRA), as amended, 44 U.S.C. Part 3501 et seq.

The response to the request in the attachment must be addressed to the following:

Philip Clappin, Enforcement Officer RCRA Compliance Branch U.S. Environmental Protection Agency - Region 2 290 Broadway 22nd Floor New York, New York 10007-1866

Failure to respond in full to this requirement is a violation of RCRA and may result in federal enforcement action pursuant to Section 3008 of RCRA, 42 U.S.C. Section 6928.

If you have any questions about this letter, please call Mr. Philip Clappin, of the RCRA Senior Enforcement Team, at (212) 637-4129.

Sincerely yours,

George Pavlou, Acting Director

Division of Enforcement and Compliance Assistance (DECA)

cc: Salvatore Carlomagno, Chief

Hazardous Waste Compliane Count New York State Department of Environmental Conservation

**Enclosures** 

### ATTACHMENT I

### NELSON GALVANIZING, INC. 11-02 BROADWAY LONG ISLAND CITY, N.Y., 11106

A RCRA Compliance Evaluation Inspection (CEI) of Nelson Galvanizing, Inc. hazardous waste generation, storage areas, and record keeping, was performed on June 3, 1998 by two EPA authorized representatives. A subsequent sampling visit by members of the RCRA Compliance Branch (RCB) and Monitoring and Assessment Branch (MAB) was conducted on July 23, 1998.

On September 24, 1998, EPA sent a RCRA § 3007 Information Request Letter to you (Attachment III). This letter requested that you submit further information in order to assess your facility's compliance with the hazardous waste rules and regulations as well as the requirements of the CACO signed into effect October 26, 1994 (Attachment IV). Your response to the information request was due to EPA on October 28, 1998, 30 days after you received that letter. To date EPA has not received your response and, as a result, you are and continue to remain in violation of RCRA § 3007 as long as this situation is left unchanged.

In addition to the responses to the questions posed in the September 24, 1998 RCRA § 3007 Information Request Letter that have been, are, and continue to be overdue, EPA requests the following information:

- 1. A dated copy of "the notice you agreed to place in the deed to the property on which the facility resides, using procedures set forth in 40 C.F.R. § 265.119, indicating that the land has been used to manage hazardous waste and that contamination may remain" (CABO; page 6, paragraph 2).
- 2. A dated copy of the signed certification indicating that the deed notice has been recorded as specified in 40 C.F.R. § 265.119(b)(1). A copy of this certification should have been sent to the Regional Administrator (RA). EPA has no record of such a document. Please, send a dated copy of this certification document which is required as part of the procedures set forth in 40 C.F.R. § 265.119 which you agreed to follow as part of the CABO (page 6, paragraph 2).

### **ATTACHMENT II**

### **INSTRUCTIONS AND DEFINITIONS**

In responding to this Request for Information, apply the following instructions and definitions:

- 1. The signatory should be an officer or agent who is authorized to respond on behalf of the company or facility. The signatory must complete and return the attached Certification of Answers to Responses to Request for Information.
- 2. A complete response must be made to each individual question in this request for information. Identify each answer with the number of the question to which it is addressed.
- 3. In preparing your response to each question, consult with all present and former employees and agents of the company or facility who you have reason to believe may be familiar with the matter to which the question pertains.
- 4. In answering each question, identify all contributing sources of information.
- 5. If you are unable to answer a question in a detailed and complete manner or if you are unable to provide any of the information or documents requested, indicate the reason for your inability to do so. If you have reason to believe that there is an individual who may be able to provide more detail or documentation in response to any question, state that person's name and last known address and phone number and the reasons for your belief.
- 6. If you cannot provide a precise answer to any question, please approximate and state the reason for your inability to be specific.
- 7. For each document produced in response to this Request for Information, indicate on the document or in some other reasonable manner, the number of the question to which it applies.
- 8. If anything is deleted from a document produced in response to this Request for Information, state the reason for and the subject matter of the deletion.
- 9. If a document is requested but is not available, state the reason for its unavailability. In addition, identify any such document by author, date, subject matter, number of pages, and all recipients and their addresses.
- The company and/or facility for the purposes of this Request for Information is Nelson Galvanizing, Inc., 11-02 Broadway, Long Island City, N.Y. 11106.

- 11. A generator of hazardous waste for the purposes of this Request for Information shall be defined as any person, by site, whose act or process produces hazardous waste or whose act first causes a hazardous waste to become subject to regulation.
- 12. Solid waste shall be defined for the purposes of this Request for Information as that term is defined in Section 1004(27) of RCRA, as amended, 42 U.S.C. Part 6903(27).
- 13. <u>Hazardous waste</u> shall be defined for the purposes of this Request for Information as that term is defined in Section 1004(5) of RCRA, as amended, 42 U.S.C. Part 6903(5).
- 14. <u>Manage</u> shall be defined for the purposes of this Request for Information as to market, generate, treat, store, dispose or otherwise handle.

## CERTIFICATION OF ANSWERS TO REQUEST FOR INFORMATION

I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document (response to EPA Request for Information) and all documents submitted herewith, that the submitted information is true, accurate and complete, and that all documents submitted herewith are complete and authentic, unless otherwise indicated. I am aware that there are significant penalties for submitting false information.

NAME (print or type)	
1	
TITLE (print or type)	
IGNATURE	
	·
DATE	

# UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

IN THE MATTER OF:

Nelson Galvanizing, Inc. and Nelson Foundry Company, Inc. 11-02 Broadway Iong Island City, New York

NYD001229350

Proceeding under Section 3008 of the Solid Waste Disposal Act, as amended 42 U.S.C. § 6928

CONSENT AGREEMENT AND CONSENT ORDER

Docket No. II RCRA-91-0206

# PRELIMINARY STATEMENT

This is a civil administrative proceeding instituted pursuant to Section 3008 of the Solid Waste Disposal Act as amended by the Resource Conservation and Recovery Act ("RCRA") and the Hazardous and Solid Waste Amendments of 1984, ("HSWA"), 42 U.S.C. § 6901 et seq. ("RCRA" or the

Complainant in this proceeding, Conrad Simon, Director of the Air & Waste Management Division of the U.S.

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Nelson Foundry Company, Inc. ("Respondent") on September 13, 1991, as a result of inspections conducted on or about December 13, 1990 and February 15, 1991 which revealed that Respondent had violated or was in violation of one or more requirements of Subtitle C of RCRA, the New York State Environmental Conservation Law, and the regulations promulgated thereunder concerning the management of hazardous waste.

The parties have reached an amicable resolution of this matter and have agreed to this Consent Agreement and Consent Order as a resolution of this proceeding without further litigation.

## EPA FINDINGS OF FACT AND CONCLUSIONS OF LAW

- 1. Respondent is Nelson Galvanizing, Inc. (according to Respondent's Answer filed on October 16, 1991, there is no such entity as Nelson Foundry Company Inc., which was named in the Complaint). Respondent owns and/or operates a facility known as Nelson Galvanizing located at 11-02 Broadway, Long Island City, New York (the "facility").
- 2. Respondent is a "person," as that term is defined
  in Section 1004(15) of RCRA, 42 U.S.C. § 6903(15), 40 C.F.R.
  § 260.10, and in 6 NYCRR § 370.2(b)(123).

- 3. Respondent was a "generator" of hazardous wastes, as that term is defined in 40 C.F.R. § 262.10 and in 6 NYCRR § 370.2(b)(74).
- 4. By notification dated August 31, 1988, Respondent Nelson Galvanizing, Inc. informed EPA that it conducts activities at its facility involving "hazardous waste" as that term is defined in Section 1004(5) of RCRA, 42 U.S.C. § 6903(5), and in 40 C.F.R. § 261.3 and 6 NYCRR § 371.1(d) and was issued the EPA Identification Number NYD001229350.
- 5. On or about November 29, 1990, and February 15, 1991 inspections of the facility were conducted, pursuant to Section 3007 of RCRA, 42 U.S.C. § 6927, by a duly-designated representative of EPA to determine compliance with specific state and federal regulations for the management of hazardous waste.
- 6. On or about December 13, 1990, and January 16, 1991 sampling inspections of the facility were conducted, pursuant to Section 3007 of RCRA, 42 U.S.C. § 6927, by a duly-designated representative of EPA to determine compliance with specific state and federal regulations for the management of hazardous waste. Results of samples taken at the sampling inspections indicated that many of the drums at the facility contained D002, D007, and D008 wastes.

- 7. On or about January 29, 1991 Complainant issued to Respondent a Request for Information under § 3007 of RCRA and § 104(e) of CERCLA.
- 8. On or about March 22, 1991 Complainant received from Respondent a response to the Request for Information referenced in paragraph 7.
- 9. On the basis of the inspections and the response to the request for Information, Complainant determined that Respondent violated RCRA and the regulations promulgated thereunder as follows: by failing to label or clearly mark each container of hazardous waste being accumulated on-site with the words "Hazardous Waste"; by failing to provide the date upon which each period of accumulation begins, clearly marked and visible for inspection on each container of hazardous waste stored at the facility; by accumulating hazardous waste on-site for more than 90 days without obtaining a permit or without having interim status; by failing to keep closed all containers of hazardous waste except when it is necessary to add or remove waste; by failing to transfer all hazardous waste in containers that are leaking to containers that are in good condition; by failing to open, handle or store hazardous waste containers in a manner which will avoid rupturing the container or causing it to leak; by failing to maintain aisle space to

allow the unobstructed movement of personnel, fire protection equipment, spill control equipment and decontamination equipment to all areas of facility operations; by failing to inspect areas where hazardous wastes are stored on at least a weekly basis looking for leaks and deterioration caused by corrosion and other factors; by failing to have facility personnel complete a program of classroom instruction or on-the-job training that teaches them to perform their duties in a way that ensures compliance with the requirements of 40 C.F.R. Part 265 and to maintain the documents and records at the facility for each position at the facility related to hazardous waste management including the job title, the name of each employee filling each job, a written job description, a written description of the type and amount of training that will be given to each person, and records that document training or job experience for each position; by failing to operate the facility so as to minimize the possibility of fire, explosion, or any unplanned sudden or non-sudden release of hazardous wastes or hazardous waste constituents to air, soil, or surface water which could threaten human health or the environment; by failing to maintain an internal communication or alarm system capable of providing immediate emergency instruction to facility personnel; by failing to test and maintain fire protection equipment and other equipment to assure their proper

operation in time of emergency; by failing to have a contingency plan for its facility designed to minimize hazards to human health or the environment from fire, explosions, or any unplanned sudden or non-sudden release of hazardous waste or hazardous waste constituents to air, soil or surface water.

10. Respondent submitted several consecutive recent years of corporate tax returns which supported its contention that it was unable to pay the penalty set forth in the Complaint.

## CONSENT AGREEMENT

Based upon the foregoing, and pursuant to Section 3008 of RCRA, 42 U.S.C. § 6928 and the "Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation or Suspension of Permits" 40 C.F.R. § 22.18, it is hereby agreed as follows:

- 1. For the purpose of this proceeding, Respondent admits the jurisdictional allegations of the Complaint. Respondent neither admits nor denies specific factual allegations contained in the Complaint.
- 2. Respondent shall place a notice in the deed to the property on which the facility resides, using the procedures set forth in 40 C.F.R. § 265.119, indicating that the land

has been used to manage hazardous wastes and that contamination may remain.

- 3. Regarding the alleged contamination at the facility, both Complainant and Respondent reserve their rights as to their responses to dealing with it at some future date.
- 4. In July of 1994, Respondent supplied Complainant with a written inventory of chemicals currently stored on the site which included 30 gallons of sulphuric acid (raw), 7000 gallons of sulphuric acid and water, 2000 gallons of caustic soda and water, and 400 gallons of zinc ammonia chloride and water. With regard to all of the materials except the raw sulphuric acid, the 9400 gallons of waste materials must be stored in compliance with all hazardous waste storage requirements (including appropriate containers, labelling etc.) if these materials exhibit any characteristic identified in 40 C.F.R. Part 261 (either through generator knowledge or testing). One year after the effective date of this agreement, the materials mentioned above must be either removed from the facility or Respondent must apply for a permit to manage such materials.
- 5. Respondent shall hereafter comply with all applicable RCRA provisions and the regulations promulgated thereunder.
- 6. Respondent shall pay, by cashier's or certified check, a civil penalty for the violations cited above, in

the amount of five hundred (\$500.00) dollars, payable to the "Treasurer of the United States of America", and mailed to EPA Region II (Regional Hearing Clerk), P.O. Box 360188M, Pittsburgh, Pennsylvania 15251. The check shall be identified with a notation of the name and docket number of this case as follows: In the Matter of Nelson Galvanizing Inc. and Nelson Foundry Company Inc., Docket No. II RCRA-91-0206. Payment must be received at the above address on or before 45 calendar days after the effective date hereof, set out below in paragraph 12 (the date by which payment must be received shall hereafter be referred to as the "due date"). Respondent shall also send a copies of this payment to Stuart N. Keith, Assistant Regional Counsel, and George Meyer, Chief, Hazardous Waste Compliance Branch at Region II. Complainant agrees to endeavor to promptly mail to Respondent a copy of the fully executed Consent Agreement and Consent Order.

- a. Failure to pay the penalty in full according to the above provisions will result in the referral of this matter to the United States Department of Justice for collection.
- b. Further, if payment is not received on or before the due date, interest will be assessed, at the annual rate established by the Secretary of the Treasury pursuant to 31 U.S.C. § 3717, on the overdue amount from the due date through the date of payment.

In addition, a late payment handling charge of \$15.00 will be assessed for each thirty (30) day period following the due date in which the balance remains unpaid.

- 7. This Consent Agreement is being voluntarily and knowingly entered into by the parties in full and final settlement of all civil liabilities that might have attached as a result of the specific allegations contained in Counts 1 through 13 of the Complaint. The parties reserve the rights set forth in paragraph 3 above. Respondent has read the Consent Agreement, understands its terms, finds it to be reasonable and consents to its issuance and its terms. Respondent consents to the issuance of the accompanying Consent Order.
- 8. Respondent explicitly and knowingly consents to the assessment of the civil penalty as set forth in this Consent Agreement and agrees to pay the penalty in accordance with the terms of this Consent Agreement.
- 9. Respondent explicitly and knowingly waives its right to request or to seek any Hearing on the Complaint or on any of the allegations therein asserted, on this Consent Agreement or on any of the matters herein stated, or on the accompanying Consent Order.
- 10. Respondent waives any right it may have pursuant to 40 C.F.R. § 22.08 to be present during discussions with or to be served with and reply to any memorandum or

communication addressed to the Regional Administrator or the Deputy Regional Administrator where the purpose of such discussion, memorandum, or communication is to recommend that such official accept this Consent Agreement and issue the attached Consent Order.

- 11. Each undersigned signatory to this Consent Agreement certifies that he or she is duly and fully authorized to enter into and ratify this Consent Agreement and all the terms and conditions set forth in this Consent Agreement.
- 12. The effective date of this Consent Agreement shall be the date Regional Administrator signs the Consent Order accompanying this Consent Agreement.

  RESPONDENT:

  BY:

NELSON

NAME:

John T. Sweenry

(Please Print)

TITLE:

PRE 5

DATE: 9/22/94

COMPLAINANT:

Conrad Simon, Director

Air and Waste Management Division
U.S. Environmental Protection Agency
Region II

DATE: 10/21/94

### CONSENT ORDER

The Regional Administrator of EPA, Region II, concurs in the foregoing Consent Agreement. The Consent Agreement entered into by the parties is hereby approved and issued, as an Order, effective immediately as of the date herein indicated below.

Jeanne M. Fox
Regional Administrator
U.S. Environmental Protection
Agency Region II
26 Federal Plaza
New York, New York 10278

DATE: 63/20/84



### UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 2 290 BROADWAY NEW YORK, NY 10007-1866 Attachment 4

DEC 28 1998

# CERTIFIED MAIL RETURN RECEIPT REQUESTED

NOTICE OF VIOLATION

Mr. John Sweeney, President Nelson Galvanizing, Inc. 11-02 Broadway Long Island City, New York 11106

Re:

Notice of Violation

Nelson Galvanizing, Inc.

EPA I.D. No. NYD001229350

Dear Mr. Sweeney:

This Notice of Violation ("NOV") is issued pursuant to Section 3008 of the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act ("RCRA") of 1976 and the Hazardous and Solid Waste Amendments ("HSWA") of 1984 42 U.S.C. § § 6901, 6928.

Section 3006 of the Act, 42 U.S.C. § 6926 provides that the Administrator of the U.S. Environmental Protection Agency ("EPA") may, if certain criteria are met, authorize a State to operate a hazardous waste program in lieu of the Federal program. The State of New York has received final authorization to administer its hazardous waste program in lieu of most of the Federal program. Section 3008 of the Act, 42 U.S.C. § 6928 authorizes EPA to enforce the provisions of the authorized State program.

Pursuant to RCRA, as amended by HSWA, the EPA promulgated rules, regulations, and standards governing the handling and management of hazardous waste as set forth in 40 C.F.R. Parts 260-272.

This second NOV serves to inform you of EPA's belief that: (1) you continue to be in violation of § 3007 of RCRA; and (2) you are in violation of the consent agreement/consent order (CA/CO) signed in October of 1994. This NOV also (1) presents you with analytical data from EPA's sampling that occurred on July 23, 1998 and EPA's determinations based upon those data; and (2) underscores the need for you to overpack and remove, as soon as possible, any hazardous waste being stored on-site.

For the purposes of this NOV and other correspondence between EPA and Nelson Galvanizing, Inc. the following terms are synonymous and are used interchangeably: (1) "sulphuric acid" is equivalent to "sulfuric acid" and vice versa; and (2) "caustic soda" is equivalent to "sodium hydroxide" and vice versa.

This second NOV formally serves to notify you, once again, that you remain in violation of RCRA § 3007 by failing to respond to the RCRA § 3007 Information Request letter sent via certified mail, dated September 24, 1998 (enclosed Attachment 1), which was delivered on September 28, 1998, to Mr. John Sweeney, President of Nelson Galvanizing, Inc. You were given thirty (30) days from the date of receipt of the RCRA § 3007 Information Request Letter to respond to the questions in that letter. You failed to do so and you did not seek an extension pursuant to the requisites outlined in that letter. On November 6, 1998 an earlier Notice of Violation (Attachment 2) was issued to you for failing to respond or not seeking an extension in time pursuant to the requirements set forth in the original RCRA § 3007 Information Request Letter, dated September 24, 1998.

You must take immediate action to remedy this violation. You must immediately submit a response with all the requested information specific to the operations of Nelson Galvanizing, Inc. No extension in the prior due date will be granted. In fact, the response is past due. Continued failure to comply with the NOVs and § 3007 Information Request increases the potential of Nelson Galvanizing, Inc. and/or Mr. John Sweeney to be subject to the enforcement provisions of Section 3008 of RCRA, 42 U.S.C. § 6928. Your compliance with the requirements of this NOV in no way waives or compromises EPA's right to take further enforcement against you for the above cited violation and other violations of the RCRA Statute and/or applicable regulations.

This letter also serves to inform you that the analyses of the waste and/or chemical samples that EPA took on July 23, 1998 have been received and reviewed. An enclosed copy (Attachment 3) presents you with the analytical results from the sampling of six (6) drums containing iron sulfate and the three (3) chemical tanks that contain (1) sulphuric acid, (2) sodium hydroxide, and (3) zinc ammonia chloride.

In addition, you have stated that the iron sulfate being stored on-site is a waste. EPA has determined this material to be a solid waste. The iron sulfate was deposited in the base of the sulphuric acid tank as a result of your company's galvanizing process. It was removed when you sold the liquid contents of and the polypropylene tank. Sampling and analytical data from the iron sulfate that is being stored in drums indicate that some of this material exceeds the toxicity characteristic for lead and is therefore "hazardous waste". The iron sulfate must be removed and disposed of appropriately and in accordance with the regulations immediately.

EPA has also determined that the liquid and sludge material in the three (3) tanks currently onsite are solid wastes. On July 23, 1998, EPA sampled the liquids and sludges from the sulphuric acid tank, the sodium hydroxide tank (no sludge), and the zinc ammonia chloride tank. Analytical data indicate that the liquid in the sulphuric acid tank exceeds the toxicity characteristic for chromium and approaches the characteristic level for corrosivity. Analytical data from the sodium hydroxide tank indicates that the liquid being stored in that tank exceeds the characteristic level for corrosivity. As a result, these materials are determined to be hazardous wastes and must be handled, removed and disposed of appropriately in accordance with the regulations immediately.

Furthermore, in accordance with the consent agreement and consent order (CA/CO) (enclosed as Attachment 4; especially paragraph 4; page 7) issued on October 26, 1994, you had to "(within) one year of the effective date of this agreement (CA/CO), either remove (properly) from the facility or apply for a permit to (appropriately) manage (all) such materials (including the iron sulfate, sulphuric acid, sodium hydroxide, and zinc ammonia chloride)". You accomplished neither removal of these materials nor received a permit to store these materials. Therefore, in accordance with paragraphs 4 and 5, page 7 of the CA/CO, you are also determined to be in violation of the CA/CO.

Please be advised that your facility is under the continuing obligation to comply with all the applicable state and federal regulations regarding the management of hazardous waste, as well as the CA/CO. Subsequently, if your facility should be found in violation of any of these regulations and/or CA/CO now and in the future, you may be subject to escalated enforcement actions, including, but not limited to, monetary penalties.

If you have any questions regarding this matter, please direct them to Mr. Philip Clappin at (212) 637-4129.

Sincerely yours,

George Pavlou, Acting Director

Division of Enforcement and Compliance Assistance

#### Enclosures

CC:

Salvatore Carlomagno, Supervisor (w. Enclosures)

Hazardous Waste Compliance Unit

New York State Department of Environmental Conservation

NOV - 6 1998

# CERTIFIED MAIL RETURN RECEIPT REQUESTED

**NOTICE OF VIOLATION** 

Mr. John Sweeney, President Nelson Galvanizing, Inc. 11-02-Broadway Long Island City, New York 11106

Re:

Notice of Violation

Nelson Galvanizing, Inc.

EPA I.D. No. NYD001229350

Dear Mr. Sweeney:

This Notice of Violation ("NOV") is issued pursuant to Section 3008 of the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act ("RCRA") of 1976 and the Hazardous and Solid Waste Amendments ("HSWA") of 1984 42 U.S.C. § § 6901, 6928.

Section 3006(b) of the Act, 42 U.S.C. § 6926 provides that the Administrator of the U.S. Environmental Protection Agency ("EPA") may, if certain criteria are met, authorize a State to operate a hazardous waste program in lieu of the Federal program. The State of New York has received final authorization to administer its hazardous waste program in lieu of the Federal program. Section 3008(a) of the Act, 42 U.S.C. § 6928 authorizes EPA to enforce the provisions of the authorized State program.

Pursuant to RCRA, as amended by HSWA, the EPA promulgated rules, regulations, and standards governing the handling and management of hazardous waste as set forth in 40 C.F.R. Parts 260-272. For the purposes of this NOV, the hazardous waste regulations governing the generation of hazardous waste were promulgated in 1980 and amended by HSWA in 1984. This letter serves formally to notify you that you are in violation of RCRA § 3007. You have failed to respond to the RCRA § 3007 Information Request letter sent via certified mail, dated September 24, 1998 (enclosed), and which was delivered on September 28, 1998, to Mr. John Sweeney, President of Nelson Galvanizing, Inc. You were given thirty (30) days from the date of receipt of the RCRA § 3007 Information Request Letter to respond to the questions posed in that letter. You have failed to do so and you have not sought an extension pursuant to the requisites outlined in that letter.

If you have not already done so, you must take immediate action to remedy the violation cited above. Please submit, a response to the requested information specific to the current and/or former operations of Nelson Galvanizing, Inc. Failure to comply and submit the documentation requested in this Notice of Violation subjects you and/or your company to the enforcement provisions of Section 3008 of RCRA, 42 U.S.C. § 6928. Your compliance with the requirements of this NOV in no way waives or compromises EPA's right to take further enforcement against your company for the above cited violation.

Please be advised that your facility is under the continuing obligation to comply with all the applicable state and federal regulations regarding the management of hazardous waste. Subsequently, if your facility should be found in violation of any of these regulations in the future, you may be subject to escalated enforcement actions, including, but not limited to, monetary penalties.

If you have any questions regarding this matter, please direct them to Mr. Philip Clappin at (212) 637-4129.

Sincerely yours,

Walter E. Mugdan, Acting Director

Division of Enforcement and Compliance Assistance

Enclosure

cc: S

Salvatore Carlomagno, Supervisor

Hazardous Waste Compliance Unit

New York State Department of Environmental Conservation

bcc:

Phil Clappin, (2DECA-RCB)

Phil Flax, (2DECA-RCB)

William K. Sawyer, ORC

RCRA Files, (20PM-ISS)

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### UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 2 290 BROADWAY NEW YORK, NY 10007-1866

Attachment 2

SEP 2 4 1998 CERTIFIED MAIL RETURN RECEIPT REQUESTED

Mr. John Sweeney, President Nelson Galvanizing, Inc. 11-02 Broadway Long Island City, N.Y. 11106

RE:

RCRA § 3007 Information Request

Nelson Galvanizing, Inc.

NYD001229350

Dear Mr. Sweeney:

The U.S. Environmental Protection Agency (EPA) is charged with the protection of health and the environment under the Resource Conservation and Recovery Act (RCRA), 42 U.S.C. Part 6901 et seq.

Pursuant to the provisions of Section 3007 of RCRA, 42 U.S.C. Section 6927, EPA hereby requires that you provide the information requested in Attachment I to this letter using the instructions and definitions included in Attachment II. This information is required to evaluate the compliance of Nelson Galvanizing, Inc.

Please provide the information requested no later than thirty (30) calendar days from receipt of this letter. Requests for additional time must be made within ten (10) calendar days of receipt of this letter, and must be justified. The response must be signed by a responsible official or agent of your company.

The response to the request in the attachment must be addressed to the following:

Philip Clappin, Enforcement Officer RCRA Compliance Branch U.S. Environmental Protection Agency - Region 2 290 Broadway 22nd Floor New York, New York 10007-1866 You may, if you so desire, assert a business confidentiality claim covering all or part of the information herein requested. The claim may be asserted by placing on (or attaching to) the information at the time it is submitted, a cover sheet, stamped or typed legend, or other suitable form of notice employing language such as "trade secret", "proprietary", or "company confidential". The claim should set forth the information requested in 40 Code of Federal Regulations (40 C.F.R.) Part 2.204(e)(4). Information covered by such a claim will be disclosed by EPA only to the extent permitted by, and by means of procedures set forth in, 40 C.F.R. Part 2. If no such claim accompanies the information when it is received by EPA, it may be made available to the public by EPA without further notice to you.

This information request is not subject to the requirements of the Paperwork Reduction Act (PRA), as amended, 44 U.S.C. Part 3501 et seq.

Failure to respond in full to this requirement is a violation of RCRA and may result in federal enforcement action pursuant to Section 3008 of RCRA, 42 U.S.C. Section 6928.

If you have any questions about this letter, please call Mr. Philip Clappin, of the Senior Enforcement Team, at (212) 637-4129. All inquiries from attorneys must be directed to Mr. William K. Sawyer, Esq., of the Office of Regional Counsel, at (212) 637-3196.

Sincerely yours,

Walter Mugdan, Esq., Acting Director

Kenneth S. Staller

Division of Enforcement and Compliance Assistance (DECA)

cc:

Salvatore Carlomagno, Supervisor Hazardous Waste Compliance Unit

New York State Department of Environmental

Conservation

Attachments

### **ATTACHMENT I**

### NELSON GALVANIZING, INC. 11-02 BROADWAY LONG ISLAND CITY, N.Y., 11106

A RCRA Compliance Evaluation Inspection (CEI) of Nelson Galvanizing, Inc. hazardous waste generation, storage areas, and record keeping, was performed on June 3, 1998 by two EPA authorized representatives. A subsequent sampling visit by RCRA Compliance Branch (RCB) and Monitoring and Assessment Branch (MAB) was conducted on July 23, 1998. As a follow up of the inspection and sampling visit, the following information is requested:

- 1. At the time of the inspection and sampling visit, EPA representatives observed, present at your facility, approximately sixty (60) fifty-five gallon drums of what you indicated was iron sulfate. You indicated that this iron sulfate was a waste. Please send to EPA information on the process that generated the iron sulfate waste. Please indicate and document how long you have stored the iron sulfate at your facility.
- 2. At the time of the inspection and sampling visit, EPA representatives observed, present at your facility, three (3) tanks labeled and/or indicated by you as containing the following materials: sulfuric acid, sodium hydroxide, and zinc ammonium chloride. Please explain the process in which these chemicals were used. Please explain how these chemicals are presently used. Please explain and document the last time you used these chemicals. Please explain and document the last time you used these chemicals as they were intended to be used, as part of a commercial galvanizing process.
- 3. Have you made hazardous waste determinations on the iron sulfate wastes? Have you made hazardous waste determinations for the other chemicals currently being stored at your facility. Please submit any and all information, including but not limited to sampling procedures, sampling dates, dates of analyses, that were used to make those determinations. Please specify when you made the determinations.
- 4. Why are you storing or continuing to store iron sulfate wastes and the chemicals in the sodium hydroxide, sulfuric acid, and zinc ammonium chloride tanks? How long have you stored the iron sulfate wastes and the other chemicals that are currently present in drums and tanks at your facility?
- Please specify the date that these materials, including the sulfuric acid, sodium hydroxide, and zinc ammonium chloride were last used. Please indicate how they were used and for what purpose they were used. Were they used commercially? When was the last time the chemicals in the tanks were used commercially? Do you have any intention of commercially using the chemicals stored in tanks at your facility?
- 6. It is EPA's understanding that Nelson Galvanizing has not recently been commercially active. Please specify the last time commercial activity and/or any galvanizing took place at the facility. Please document the activity and date.

- 7. What is Nelson Galvanizing's current economic status? Does your corporation, Nelson Galvanizing, remain intact? Do you intend to reopen the facility at any time? If so when do you plan to reopen? What type of business is currently operating at the Nelson Galvanizing facility?
- 8. At the time of the June 3, 1998 inspection you indicated that the sulfuric acid had been drained from an on-site above ground tank and sold, along with the tank, to your competitor. Please document and provide the date of this purchase. Was iron sulfate generated at this time? If yes, how much, how was it managed, and where was it managed? Please be specific and detailed and document where possible.

### ATTACHMENT II

### INSTRUCTIONS AND DEFINITIONS

In responding to this Request for Information, apply the following instructions and definitions:

- 1. The signatory should be an officer or agent who is authorized to respond on behalf of the company or facility. The signatory must complete and return the attached Certification of Answers to Responses to Request for Information.
- 2. A complete response must be made to each individual question in this request for information. Identify each answer with the number of the question to which it is addressed.
- In preparing your response to each question, consult with all present and former employees and agents of the company or facility who you have reason to believe may be familiar with the matter to which the question pertains.
- 4. In answering each question, identify all contributing sources of information.
- 5. If you are unable to answer a question in a detailed and complete manner or if you are unable to provide any of the information or documents requested, indicate the reason for your inability to do so. If you have reason to believe that there is an individual who may be able to provide more detail or documentation in response to any question, state that person's name and last known address and phone number and the reasons for your belief.
- 6. If you cannot provide a precise answer to any question, please approximate and state the reason for your inability to be specific.
- 7. For each document produced in response to this Request for Information, indicate on the document or in some other reasonable manner, the number of the question to which it applies.
- 8. If anything is deleted from a document produced in response to this Request for Information, state the reason for and the subject matter of the deletion.
- 9. If a document is requested but is not available, state the reason for its unavailability. In addition, identify any such document by author, date, subject matter, number of pages, and all recipients and their addresses.
- The company and/or facility for the purposes of this Request for Information is Nelson Galvanizing, Inc., 11-02 Broadway N.Y. 11106.

- 11. A generator of hazardous waste for the purposes of this Request for Information shall be defined as any person, by site, whose act or process produces hazardous waste or whose act first causes a hazardous waste to become subject to regulation.
- 12. Solid waste shall be defined for the purposes of this Request for Information as that term is defined in Section 1004(27) of RCRA, as amended, 42 U.S.C. Part 6903(27).
- 13. <u>Hazardous waste</u> shall be defined for the purposes of this Request for Information as that term is defined in Section 1004(5) of RCRA, as amended, 42 U.S.C. Part 6903(5).
- 14. <u>Manage</u> shall be defined for the purposes of this Request for Information as to market, generate, treat, store, dispose or otherwise handle.

## CERTIFICATION OF ANSWERS TO REQUEST FOR INFORMATION

I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document (response to EPA Request for Information) and all documents submitted herewith, that the submitted information is true, accurate and complete, and that all documents submitted herewith are complete and authentic, unless otherwise indicated. I am aware that there are significant penalties for submitting false information.

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### DATA FOR MELSON GALVANIZING

ANALYSIS DATE: 5/25/93

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DATA FOR NELSON GALVANIZING

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1989	1.25	A RATIO LESS THAN 2.0 MAY INDICATE LIQUIDITY PROBLEMS
1988	2.30	A RATIO GREATER THAN OR EQUAL TO 2.0 INDICATES HEALTHY LIQUIDITY

PLEASE ENTER A CARRIAGE RETURN TO CONTINUE

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PHASE TWO ANALYSIS

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PLEASE INPUT THE INITIAL PROPOSED SETTLEMENT PENALTY AMOUNT (E.G., 5000); IF THERE IS NO TARGETED PENALTY,

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NO PENALTY WITH THE REQUIRED MINIMUM CERTAINTY OF 80.0 %.

WOULD YOU LIKE TO SEE MORE DETAILED OUTPUT (Y OR N)?

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DO YOU WISH TO PERFORM THE PHASE TWO ANALYSIS FOR THIS CASE AGAIN (Y OR N)?

PHASE TWO ANALYSIS

PLEASE ENTER WHAT YEARS DOLLARS YOU WANT PRESENT VALUE CALCULATIONS EXPRESSED IN.

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  - 3. INFLATION RATE = 3.44%
  - 4. MARGINAL INCOME TAX RATE =38.50%

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DO YOU WISH TO CHANGE ANY OF THESE INPUTS (Y OR N)?

ABEL IS READY TO PROVIDE OUTPUT. YOU HAVE THE CHOICE OF THREE OUTPUT OPTIONS:

1. PRINT ONLY THE POSSIBILITY OF THE PRESENT VALUE

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OF THE FIRM:S FIVE YEAR PROJECTED CASH FLOW EXCEEDING EITHER AN INITIAL PROPOSED SETTLEMENT PENALTY OR A REQUIRED INVESTMENT.

- 2. PRINT A TABLE SHOWING THE NET AVAILABLE CASH FLOW WITH AN ANALYSIS OF THE TABLE.
- 3. PRINT A DETAILED TABLE SHOWING THE COMPONENTS OF THE FIRM: S CASH FLOWS. THIS OPTION MAY BE HELPFUL TO FINANCIAL ANALYSTS BUT IS NOT RECOMMENDED FOR MOST USERS. PLEASE ENTER YOUR CHOICE (1,2 OR 3).

THERE IS A 0.0 % CHANCE THAT THE FIRM CAN FINANCE THE PROPOSED SETTLEMENT PENALTY OF \$ 1328147.00 BASED ON THE STRENGTH OF INTERNALLY GENERATED CASH FLOWS FOR THE NEXT FIVE YEARS.

FOR PROBABILITIES LESS THAN 80%, REFER TO YOUR MEDIA SPECIFIC PENALTY POLICY. IN THIS CASE, THE FIRM CAN AFFORD NO PENALTY WITH THE REQUIRED MINIMUM CERTAINTY OF 80.0 %.

WOULD YOU LIKE TO SEE MORE DETAILED OUTPUT (Y OR N)?

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- 2. PRINT A TABLE SHOWING THE NET AVAILABLE CASH FLOW WITH AN ANALYSIS OF THE TABLE.
- 3. PRINT A DETAILED TABLE SHOWING THE COMPONENTS OF THE FIRM:S CASH FLOWS. THIS OPTION MAY BE HELPFUL TO FINANCIAL ANALYSTS BUT IS NOT RECOMMENDED FOR MOST USERS.
  PLEASE ENTER YOUR CHOICE (1,2 OR 3).

THERE IS A 5.3 % CHANCE THAT THE FIRM CAN FINANCE THE PROPOSED SETTLEMENT PENALTY OF \$ 10699.82 BASED ON THE STRENGTH OF INTERNALLY GENERATED CASH FLOWS FOR THE NEXT FIVE YEARS.

FOR PROBABILITIES LESS THAN 80%, REFER TO YOUR MEDIA SPECIFIC PENALTY POLICY. IN THIS CASE, THE FIRM CAN AFFORD NO PENALTY WITH THE REQUIRED MINIMUM CERTAINTY OF 80.0 %.

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FIRM:S CASH FLOWS. THIS OPTION MAY BE HELPFUL TO FINANCIAL ANALYSTS BUT IS NOT RECOMMENDED FOR MOST USERS.
PLEASE ENTER YOUR CHOICE (1,2 OR 3).

THERE IS A 5.4 % CHANCE THAT THE FIRM CAN FINANCE THE PROPOSED SETTLEMENT PENALTY OF \$ 5349.91 BASED ON THE STRENGTH OF INTERNALLY GENERATED CASH FLOWS FOR THE NEXT FIVE YEARS.

FOR PROBABILITIES LESS THAN 80%, REFER TO YOUR MEDIA SPECIFIC PENALTY POLICY. IN THIS CASE, THE FIRM CAN AFFORD NO PENALTY WITH THE REQUIRED MINIMUM CERTAINTY OF 80.0 %.

WOULD YOU LIKE TO SEE MORE DETAILED OUTPUT (Y OR N)?

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THERE IS A 5.4 % CHANCE THAT THE FIRM CAN FINANCE THE PROPOSED SETTLEMENT PENALTY OF \$ 5000.00 BASED ON THE STRENGTH OF INTERNALLY GENERATED CASH FLOWS FOR THE NEXT FIVE YEARS.

FOR PROBABILITIES LESS THAN 80%, REFER TO YOUR MEDIA SPECIFIC PENALTY POLICY. IN THIS CASE, THE FIRM CAN AFFORD NO PENALTY WITH THE REQUIRED MINIMUM CERTAINTY OF 80.0 %.

WOULD YOU LIKE TO SEE MORE DETAILED OUTPUT (Y OR N)?

ABEL IS READY TO PROVIDE OUTPUT. YOU HAVE THE CHOICE OF THREE OUTPUT OPTIONS:

- 1. PRINT ONLY THE POSSIBILITY OF THE PRESENT VALUE
  OF THE FIRM:S FIVE YEAR PROJECTED CASH FLOW EXCEEDING
  EITHER AN INITIAL PROPOSED SETTLEMENT PENALTY OR A REQUIRED
  INVESTMENT.
- 2. PRINT A TABLE SHOWING THE NET AVAILABASH FLOW WITH AN ANALYSIS OF THE TABLE.
- 3. PRINT A DETAILED TABLE SHOWING THE COMPONENTS OF THE FIRM: S CASH FLOWS. THIS OPTION MAY BE HELPFUL TO FINANCIAL ANALYSTS BUT IS NOT RECOMMENDED FOR MOST USERS.
  PLEASE ENTER YOUR CHOICE (1,2 OR 3).

THERE IS A 5.5 % CHANCE THAT THE FIRM

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CAN FINANCE THE PROPOSED SETTLEMENT PENALTY OF \$ 1000.00 BASED ON THE STRENGTH OF INTERNALLY GENERATED CASH FLOWS FOR THE NEXT FIVE YEARS.

FOR PROBABILITIES LESS THAN 80%, REFER TO YOUR MEDIA SPECIFIC PENALTY POLICY. IN THIS CASE, THE FIRM CAN AFFORD NO PENALTY WITH THE REQUIRED MINIMUM CERTAINTY OF 80.0 %.

WOULD YOU LIKE TO SEE MORE DETAILED OUTPUT (Y OR N)?

THERE IS A 5.3 % CHANCE THAT THE FIRM CAN FINANCE THE PROPOSED SETTLEMENT PENALTY OF \$ 10000.00 BASED ON THE STRENGTH OF INTERNALLY GENERATED CASH FLOWS FOR THE NEXT FIVE YEARS.

FOR PROBABILITIES LESS THAN 80%, REFER TO YOUR MEDIA SPECIFIC PENALTY POLICY. IN THIS CASE, THE FIRM CAN AFFORD NO PENALTY WITH THE REQUIRED MINIMUM CERTAINTY OF 80.0 %.

WOULD YOU LIKE TO SEE MORE DETAILED OUTPUT (Y OR N)?

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		apital gain net income (attach Schedule D (Form 1120))	• • •	·	<del>-</del>
	9 N	let gain or (loss) from Form 4797, Part II, line 18 (attach Form 4797)	• • • •	8	<u> </u>
	10 0	ther income (see Instructions—attach schedule).	• • • •	9	
	11 T	otal Income—Add lines 3 through 10		10	127 293
_	12 C	ompensation of officers (Schedule E, line 4)		12	69680
Ĩ	13a S	alasia a and	Balanca b	_	- <del>6-1020</del>
뒫		engire	Balance >	14	
ğ		ad debts ,	• • •	15	
5	16 R	lents	• • • •	16	<del> </del>
810	17 T	axes	• • •	17	40 353
1	18 In	nterest	• • •	18	21 200
Ę	19 C	ontributions (see Instructions for 10% limitation)	• •	19	2.200
9	20 D	Pepreciation (attach Form, 4562)	3 1		<del></del>
ē.	21 L	ess depreciation claimed on Schedule A and elsewhere on return 21a		215	3 263
Ę	22 D	Pepletion		22	
(See Instructions for Ilmitations on deductions.)		dvertising		23	
3	24 P	ension, profit-sharing, etc., plans		24	
Ž.	25 E	mployee benefit programs		. 25	19246
₫	26 O	Other deductions (attach schedule)	,	. 26	241 328
nc	28 T	otal deductions—Add lines 12 through 26.	•	27	395070
Deduction	29 L	axable income before net operating loss deduction and special deductions (line 11 les	s line 27)		(-267777
		ess: a Net operating loss deduction (see Instructions)			
	30 T	a Special deductions (Schedule C, line 20)	<del></del>	29c	/ 31-22-
	31 T	otal tax (Schedule J, line 10)	• • •	30	(267 777
z		ayments: a 1989 overpayment credited to 1990 32a			<u> </u>
5	b 1	990 estimated tax payments 32b			
Ĕ	c L	ess 1990 refund applied for on Form 4466 32c ( ) d Bal ▶ 32d			
Ç.	e T	ax deposited with Form 7004			-
n D	1 C	redit from regulated investment companies (attach Form 2439)		_ ///////	
<b>Fax and Payments</b>	g C	redit for Federal tax on fuels (attach Form 4136). See Instructions . 32g		32h	
Ta	33 E	inter any penalty for underpayment of estimated tax—Check	attached	33	
	34 1	ax due—If the total of lines 31 and 33 is larger than line 32h, enter amount owed		34	0
	35 0	verpayment—If line 32h is larger than the total of lines 31 and 33, enter amount ow	erpaid .	. 35	
	100 6	INC CINUUIL DI HITE 35 YOU WANT L'ANTIAN IN 1991/Actimeted tou b	B 4		
	ase	Under penalties of Perjury, I declare that I have examined this return, including accompanying schedule; belief, it is true, correct and complete. Declaration of preparer (other than taxpayer) is based on all infor	s and stateme	ints, and to	the best of my know
Sig		whi / Sinceney sin		but a bangi	
He	re -	Signature of officer Date			<del></del>
-		Preparer's Date	Title	···	
Pal	ď	signature	Check If	ĮP.	reparer's social secur

S	chedule J Tax Computation					· · · · · · · · · · · · · · · · · · ·	
1	see's	ections 1	561	and 1563)			<del></del>
2	in the poy on line T is checked:			•			
	a Enter your share of the \$50,000 and \$25,000 taxable (i) \$ (ii) \$	income b	rack	et amounts (in that order):			
	b Enter your share of the additional 5% tax (not to excee	ļ 	<b>.</b> .	le i	<i>\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\</i>	<b>3</b> .	1
3	Income tax (see Instructions to figure 45 a 4 a 2 Charles	0 \$11,75	0) 🕨	> [5]	<i>\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\</i>	4	
	Income tax (see Instructions to figure the tax). Check service corporation (see Instructions on page 12). ▶	this box if	the	corporation is a qualified personal		0	
4	a Foreign tax credit (attach Form 1118)	u.,	•	• • • • • • • • • • • • •	3		
	Possessions tay credit (attach Form 1118)	• • •	•	48	- <b>V</b> ///////		
	b Possessions tax credit (attach Form 5735)	. • • •	•	4b	-¥//////		1
	c Orphan drug credit (attach Form 6765).  d Credit for fuel produced from a nonconventional	Source	(sa	<u>4c</u>	<b>-</b> ////////////////////////////////////		
				1.6.4	<b>V</b>		
	General business credit. Enter here and check which for	rms are at	tach	ed:	<i>-\\\\\\\</i>		
	Form 3800 Form 3468 Form 5884						
	☐ Form 6478 ☐ Form 6765 ☐ Form 8586 .		. ,	40			
	Credit for prior year minimum tax (attach Form 8801)			41	-		
•						1	
Ð	Total—Add lines 4a through 4f	• • •		• • • • • • • • • • • • • • • • • • • •	5		ļ
_	15 04 11						
. 0	Line 3 less line 5			• • • • • • • • • • • • • • • • • • • •	6		1
	A A SOUTH TO THE CONTINUE TO TAKE A CANADINA DIL VEN	~~~ 117A	••		7		
0	Trouble taxes. Check if from: Life Form 4255	Form 86	<b>711</b>		8		
9	" Alternative minimum tax (attach Form 4626). See Inet	metions			9a		
	b Environmental tax (attach Form 4626)		•		9b		
							_
Add	Total tax—Add lines 6 through 9b. Enter here and on diltional Information (See General Instruction F.)	line 31, pa	ge :	1	10	0	-
H	Refer to the list in the instructions and state the principal:	Yes No	ĸ	At any time desire the terms			Yes No
	(1) Business activity code no. ► 3470		N	At any time during the tax year, did the coin or a signature or other authority over	prporati	on have an interest	
(	(2) Business activity > GALVANIZIND	Willia IIII A		iorgign country (such as a bank accou	ni seci	trities account or	
	(3) Product or service	<i>William</i>		other tinancial account)?			*
		<i>William A</i>		(See General Instruction F and filing requirem	ents for	form TD F 90-22.1.)	
•	(1) Did the corporation at the end of the tax year own, directly or indirectly, 50% or more of the voting stock of a domestic			if "Yes," enter name of foreign country	<b>-</b>		
	corporation: (FUI TUICS OF ATTRIBUTION, see section 767(c) )	Y 111111111111111111111111111111111111	Ļ	Was the corporation the grantor of, or tre	nsferor	to, a foreign trust	
	IT "Yes," attach a schedule showing (a) name address and			wild existed during the current far v	ear wh	ether or not the E	<i>Militariili</i>
	"Committee introduction Dercentage number and (c) tarable			corporation has any beneficial interest in	it? .     .	[	<u> </u>
	micome or (1022) before NUL and special deductions of such			If "Yes," the corporation may have to file F	orms 35	20, 3520-A, or 926.	
	corporation for the tax year ending with or within your tax year.		M	During this tax year, did the corporation	pav divi	idends (other than	
•	2) Did any individual partnership assessed			Stock dividends and distributions in excha	nge for	stock) in excess of	
•	<ol> <li>Did any individual, partnership, corporation, estate, or trust at the end of the tax year own, directly or indirectly, 50% or more</li> </ol>			the corporation's current and accumula (See sections 301 and 316.)	led eari	nings and profits?	HILIMANI
	of the corporation 5 voting Stock? (For rules of attribution and					• • • • •	<i>*</i>
	Section 207(c).) If "Yes," complete (a) through (c)	X		If "Yes," file Form 5452. If this is a co here for parent corporation and on Form	nsolidat PE 1 A/A	ed return, answer	
	(a) Attach a schedule showing name, address, and identifying			for each subsidiary.	eżt, VII	mations Schedule,	iiiiXiiii
	number. Sett €  (b) Enter percentage owned ► 100		N	During this tax year, did the corporation	mainta	iin any part of its	
	(c) Was the owner of such voting stock a foreign person? (See		0	accounting/tax records on a computerized Check method of accounting:	system	?	iningin.
	instructions.) Note: If "Yes," the corporation may have to			(1) Cash			
	THE FORM 54/2	1		(2) Accrual			
	If "Yes," enter owner's country ▶			(3) ☐ Other (specify) ►			
. 1	Was the corporation a U.S. shareholder of any controlled foreign		P		• • • •		
٠, ١	orporation: (See sections 951 and 957.)	WWW.	•	Check this box if the corporation issued purinstruments with original issue discount.	blicly o	ffered debt	
į	If "Yes," attach Form 5471 for each such corporation.			If so, the corporation may have to file For	n 8281.		
			Q	Enter the amount of tax-exempt interest i	eceived	or accrued during	
				the tax year ► 5	ı	<b>K</b>	
			R	Enter the number of shareholders at the e	nd of th	e tax year if there	

Department of the Treasury Internal Revenue Service (R)

# **Depreciation and Amortization** (Including Information on Listed Property)

► See separate instructions.

Attach this form to your return.

OMB No. 1545-0172

Name(s) shown on return

NELLON Business or activity to which this form relates

GALVANIZING

125

identifying number

11-15725

Part I	Election To Expense C complete Part V.)	ertain Tangit	ole Property (Section	n 179) (No	te: If you hav	re any "I	Liste	ed Property," also
1 Max	imum dollar limitation (see in			<del>``</del>				
2 Tota	cost of section 179 property	Discodings.	The second of th		• • • •	-	1	\$10,000
3 Thre	shold cost of section 179 pro	Praced III Servi	ce during the tax year (	see instructi	ons)		2	
		lina 7 ( 1			• • • •	L	3	\$200,000
5 Dolla	uction in limitation—Subtract or limitation for tax year—Sul	tine 3 from line	e 2, but do not enter le	ss than -0-		L	4	
	(a) Description of	ntonesty	m line 1, but do not en	ter less than	<del>-0</del>		5	
6		property		(b) Cost	(c) Elec	ted cost		
						7,		
7 1 1 1 1 1 1								Million in Succession
/ LISTE	d property—Enter amount fr	om line 26 .		7				
o rotal	elected cost of section 179 pative deduction - Fator the t	property-Add	amounts in column (c)	lines 6 and	7		8	
	- I COOCHOIL EILER IND IS	CCAP At lina E A	rlina O	, mies o aird	<i>'</i> · · · · ·		_	· · · · · · · · · · · · · · · · · · ·
TO Camy	over of disallowed deduction	from 1989 (se	a implements >	• • •	• • • • •		9	<del></del>
	ore income initiation—- Face	the leases at a					lO	
12 Secti	on 179 expense deduction— over of disallowed deduction	Add lines 9 and	10 but do not enter	(see instruct	ions)	-	1	
							2	
Note: Do	not use Part II or Part III belo	w for automob	iles cortain atheres	ie 12 P   13	<u> </u>			
entertain	mot use Part II or Part III belo iment, recreation, or amusem	ent (listed prop	erty). Instead wee Par	cies, cellular	telephones, co	mputers,	or	property used for
Part II	MACRS Depreciation F Property)	or Assets Pla	aced in Service ONI	Y During Y	property. Our 1990 Ta	x Year (	(Do	Not Include Listed
	Classification of property	(b) Mo. and yr. placed	(c) Basis for depreciation (Business use only—see	(d) Recovery period	(e) Convention	(f) Metho	Т	(g) Depreciation deduction
14 Gene	ral Depreciation System (GD:	S) (see instructi	ons):					C. ocp. control deduction
	-year property		······	T				
<u> </u>	year property							
_ c 7	year property				<u> </u>			
d 10	0-year property						$\neg$	
e 1	5-year property							
f 20	0-year property		<del></del>					
				<u> </u>			7	
g R	esidential rental property		<del></del>	27.5 yrs.	MM	S/L	$\neg \uparrow$	
*			· _ ·	27.5 yrs.	MM	S/L		
h N	onresidential real property	<del> </del>		31.5 yrs.	MM	S/L		
			<u> </u>	31.5 yrs.	MM	S/L	$\dashv$	<del> </del>
a CI	native Depreciation System (A	US) (see instru	ctions):			<del>'</del>		<del></del>
	2-year				***	S/L	_	
c 40				12 yrs.	***	S/L	۲,	·
				40 yrs.	MM	S/L	+	
Part III	Other Depreciation (Do	Not Include	Listed Property)			3/11		<del></del>
16 GDS a	and ADS deductions for as ctions).	ente placad in						
instru	ctions).	sera piaced in	service in tax years	beginning t	pefore 1990 (	see		
17 Prope	Ity subject to section 169/0/	المالية المالا	formation and the second	• • • •		. 16	5	
18 ACRS	and other depreciation (see in	istructions)	instructions)	• • •		. 17	7	
Part IV	•		<u> </u>	<u></u>	<u> </u>	. 18	3	3263
	Summary		<u> </u>					4
O Takal	property—Enter amount from	m line 25	• • • • • •		-	19		
= 10(9]	-Add deductions on line 12, the appropriate lines of your	lines 14 and 1	5 in column (g), and lin	es 16 throu	on 10 February	<u>.</u>   **	+	<u> </u>
21 For ass	sets shown above and placed in	Service during	the current or corporati		structions) .	ere 20		3263
of the b	pasis attributable to section 26	3A costs (see ins	structions)	ne portion				
or Paperw	ork Reduction Act Notice, see	nage 1 of the east		• • •	21			

NELSON GALVANIZING INC # 11-1572517 TRUCK INSURANCE SECURITY HOSI ITALIZATION Un Foems OFFICE SUBSCRIPTIONS CLEANING\_ TELEPHONE BANK CHANGES IJ PROFESSIONA Y136 JATA PROESSING FACTORY EXPENSEL 

44			U.!	S. Corne	oration i	ncome	Tax R	eturn		١	OMB No. 15	45-0123	
2	ZU	For extend			ginning NOV					90	19	20	
artment of	the Treasury	roi calenc	► instruct	ions are sepa	ate. See page	I for Paperv	vork Reduc	tion Act N	otice.	****	II SO	שכנ	
ck if a-		Ûse	Nam						10	Employe	er identification	number	<u> </u>
onsolidate		IRS				** CAR							
ersonal ho		label. Other-			517 OCT		19 34.	70 - M	_		orporated		
ersonal se	rvice	wise.	NEL:	SON GAL	VANIZIN	G INC			R		11147	•	
orp.(as de emp. Regs		please	ci 11 (	D2 BROA	PAWC				0378	Total ass	ets (see Specific	instructions	s)
.441-4T-	-see 🦳	print or type.	LON	G ISLAN	D CITY	NY	11	106				ı	
structions						- 44				<b>5</b>	81399	l	
	-		return (2)[	Final return				<del>- ,</del>		16	1330 72	<del>.  </del>	
	Pross receipts o				ess returns and al				c Bal ►	2	1042 14		
1	_		4		le A, line 7)		• • •		• •		28857		
3 (	Gross profit (	line 1c les	ss line 2) .							3	2-004/	12———	
4 [	Dividends (Sc	chedule C	., line 19) .							14			<del></del>
5 1	nterest .									5	-,		<u> </u>
6 (	Gross rents									6			
7 (	Gross royalti	es								7			
					Form 1120))					8			<u> </u>
					e 18 (attach F					9			
					dule)				•	10		<u> </u>	
									▶	11	2885	16	
<del> </del>							• • •			12	6967	0	
12			•		)			la P	alance ►	13c			
13a	Salaries and	wages L	<del> </del>		<b>b</b> Less jobs co	edit		c &	alance -	14			
1	Repairs .		• • •	• • • •		• • •	• • • •			15			
15	Bad debts .			• • •	· · · · ·						1 2	34	_
16	Rents					• • i		• • •	• • •	16	638		
17	Taxes	,	• • •							17			
18	Interest .									18	247	24	
19	Contribution	s (see in:	structions	for 10% llm	iltation)					19			
20		•					.   20	39 18				1	
21	•	•		•	d elsewhere o	return	21a			21b	39	8	
22	Depletion .		mica on oc		<b></b>					22			
23	Advertising		• • •				• • • •	• • •	• • •	23			
23		، ، ، ،			**		• • • •	• • •	• • •	24			
					• • • •		• • •		• • •	25	504	30	
25		•	_					• • •	• • •	26	27248		
26	Other dedu									27	4864	7	
27				2 through 26							(197)	V-1	
26 27 28 29					duction and s	pecial dedu		e 11 less	line 2/)		,,		
29				on (see instru		• •	. 29a				L Company	ł	
	<b>b</b> Spe	cial dedu	ctions (Sch	hedule C, line	20)	• • •	. 29b			29c			
30	Taxable inc	ome—Lii	ne 28 less i	line 29c .						. 30	(197		_
31	Total tax (					· · · · · · · · · · · · · · · · · · · ·	nimainminna		innimminum	. 31	-0		
32	Payments: a	1988 overpa	yment credited	d to 1989 32a							8		i
Ь	1989 estin			32b		/////							
				n 4466 32c	1	<u> </u>	32d ► 32d			_\\\\\\			
	Tax deposi						32e				Ø		
, ,					s (attach Forr	n 2439) .	32f						l
		-			4136)		32g			321	1		L
33					imated tax—(			2220 is a	ttached	33			
34					larger than line					34			
35					ne total of line				rnaid	. 35			Γ
36					estimated tax		-, -:::c: all		Refunded )				Π
	Under	penalties of	penury I der	clare that J'have	examined this reti	ırn, includine	accompanyin					y knowled	ige
Please	belief.	it is true, co	rect, and cor	mplete, Declarat	examined this reti ion of preparer (o	ber than taxp	ayer) is based	on all infon	mation of wi	nich prep	arer has any kno	wledge.	
Sign	1.	· ) .	11/-	1.		) 1							
Here		X	<u> </u>	XIIV	enigy	<u></u>	Data	<del></del> ]	Title	· · · · · · ·			<del></del>
	/ Sign	nature of off	rcer_	<u>/</u>	//	<u> </u>	Date	, ,	TRIE		Preparer's soci	ما جمح ، اختاب	Ži.
Paid	Prepa	rer's			(4	}	Date		Check if		rreparer 3 SOCI	i semitika.	HUR
raio Prepare	signal	ure 7	· · · · · · · · · · · · · · · · · · ·		· · · · · · · · · · · · · · · · · · ·		11-16-		self-employ		<u> </u>		
Use Onl		s name (or if self-emple	d chevo		<del> </del>	<del> </del>			E.I. N	lo. 🕨	<u> </u>		
NZE Niii		n sen-empi ddress	-7EU/						710	ode 🕨	*		

	Assets		ing of tax year	End of	tax year
1 (	Cash .		(b)	(c)	(d)
		<i>\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\</i>	13082		3127
h :	Trade notes and accounts receivable.				
3	Less allowance for bad debts	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	423 199		4130 Y
			135612		158410
5 1	U.S. government obligations				714.0
6 (	Tax-exempt securities (see instructions)				<u> </u>
7 .	Other current assets (attach schedule)				<b>/</b>
/ 1	Loans to stockholders				Ø
8 1	Mortgage and real estate loans				<b></b>
9 (	Other investments (attach schedule)				<b>/</b>
Va C	Dulldings and other depreciable assets	224313		224313	h Timmumininininininininininininininininini
D L	-ess accumulated depreciation	216807	7501		
la [	Depletable assets			220725	\$ \$ \$ C
D L	ess accumulated depletion				
2 L	and (net of any amortization)				
3a	ntangible assets (amortizable only)				
DL	ess accumulated amortization			<del></del>	
4 (	Other assets (attach schedule)				
<u> </u>	otal assets		5817.90		
	Liabilities and Stockholders' Equity				57820
6 A	ccounts payable .				
/ N	Mortgages, notes, bonds payable in less than 1 was		249630		459 304
8 (	Other current liabilities (attach schedule)				
9 L	oans from stockholders				
0 N	Mortgages, notes, bonds payable in 1 year or more		/		
1 0	Other liabilities (attach schedule)		227748		22774
2 C	Capital stock: a Preferred stock		( <u>)</u>		
	b Common stock				
3 P	Paid-in or capital surplus.		39920	30110	7-3
4 R	letained earnings—Appropriated (attach schedule)				
5 R	Retained earnings—Unappropriated				
6 L	ess cost of treasury stock		64371		(148 441
/ L	Otal liabilities and etastication		()		(
chec	Reconciliation of Income per	Packa VČV	581299		578203
	Reconciliation of Income per if the total assets on line 15, column	DOOKS WITH INCO	me per Return (You a	re not required to con	npiete this schedul
l Net	income per books	(212870)		<u> </u>	
2 Fed	deral income tax	(DID 010)	/ Income recorded o	n books this year not	
Exc	ess of capital losses over capital gains		included on this re	turn (itemize):	
HITCO	Ome subject to tay not consider an account	<del></del>	a Tax-exempt intere	st \$	
this	year (itemize):			************	
•••	***************************************				
Exp	enses recorded on books this year not		8 Deductions on this	eturn not charged	
ded	ucted on this return (itemize):		against book income	this year (itemize):	
000	deted on this return (itemize):		against book income a Depreciation	this year (itemize):	-
a De b Co	epreciation \$		against book income a Depreciation	this year (itemize):	
a De b Co	epreciation \$		against book income  a Depreciation  b Contributions carr	this year (itemize): . \$ .yover \$	- -
a De b Co c In	epreciation \$		against book income  a Depreciation  b Contributions carr	this year (itemize):\$yover \$	
a De b Co c Tri	epreciation \$	Îsan a	against book income  a Depreciation  b Contributions carr	this year (itemize): . \$	
De De Co	epreciation \$ entributions carryover \$ vel and entertainment . \$ ENA-TIES	15022	against book income  a Depreciation  b Contributions carry  7 Total of lines 7 and	this year (itemize):  \$ yover \$	
De De Co	epreciation \$ entributions carryover \$ vel and entertainment . \$ ENA-TIES	1 4 = 1	against book income  a Depreciation  b Contributions carry  7 Total of lines 7 and	this year (itemize):  \$ yover \$	1147147
De De Co	epreciation . \$ entributions carryover \$ vel and entertainment . \$ ENAUTIES  al of lines 1 through 5	(197847)	against book income a Depreciation b Contributions carr  9 Total of lines 7 and 10 Income (line 28, page	this year (itemize):  \$ yover \$  8	(147847)
De Co	repreciation . \$	etained Earnlage assets on line 15, c	against book income a Depreciation b Contributions carr  9 Total of lines 7 and 10 Income (line 28, page	this year (itemize):  \$ yover \$  8	e not required to
De Co	preciation	etained Earnings assets on line 15, c	9 Total of lines 7 and 10 Income (line 28, page per Books (line 25, Solumn (d), of Schedule L	this year (itemize):  \$ yover \$	e not required to
a De b Co c Ira Tota Bala Net	preciation . \$ precia	etained Earnlage assets on line 15, c	9 Total of lines 7 and 10 Income (line 28, page per Books (line 25, Solumn (d), of Schedule L	sthis year (itemize):  \$ yover \$	e not required to ).)
a De b Co c Ira Tota Bala Net	preciation . \$ precia	etained Earnings assets on line 15, c	9 Total of lines 7 and 10 Income (line 28, page per Books (line 25, Solumn (d), of Schedule L. 5 Distributions: a Cab St	8. ()—line 6 less line 9. ichedule L) (You ar are less than \$25,000 ash	e not required to ).)
a De b Co c Ira Tota Bala Net	preciation . \$ precia	etained Earnings assets on line 15, c	9 Total of lines 7 and 10 Income (line 28, page per Books (line 25, Solumn (d), of Schedule L.  5 Distributions: a Cab Steep Per Books (Presented Presented	8.	e not required to ).)
a De b Co c Ira Tota Bala Net	preciation . \$ precia	etained Earnings assets on line 15, c	9 Total of lines 7 and 10 Income (line 28, page per Books (line 25, Solumn (d), of Schedule L. 5 Distributions: a Cab St	8.	e not required to ).)
Total	preciation . \$ precia	etained Earnings assets on line 15, c	9 Total of lines 7 and 10 Income (line 28, page per Books (line 25, Solumn (d), of Schedule L.  5 Distributions: a Cab Steep Per Books (Presented Presented	8. ()—line 6 less line 9. chedule L) (You arare less than \$25,000 ash ock. operty.	e not required to ).)

# MCUSON GAWANIZING INC # 11-1572517 10/26/90

PI LINE 26	orter D	SNOTTONS.	
TRUCK			21614
INSURANCE.			15406
SELURITY			10234
UNIFORMS			2912
CLEANING			2297
Dues			1552
Office		- i	103%
TELEPHON			6705
	EXPENSES	1	40755
FUEL		1.	64242
" . ALLIE		<b>i</b>	70968
BANK C			4900
. PROFESS			20754
DAYA PR	o o e c z i n c .	f - 7 - 1	3787
PERMITS	· p · 1 ·	1	4587
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<del>:</del>			272489
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	440	<b>o</b> 'i		HS C	orporation,i	ncomě	Tax Ret	turn	L	OMB No 1545-0123	
Form	112	U		0.3.0	on portacion.	i i	988, ending	10/31 1	19 89	1988	
Depar	tment of the T	reasury	For calend	tar year 1988 or tax y For Paperwo	ear beginning ///	tice, see pag	e 1 of the inst	ructions.			
	al Revenue Se k if a—	rvice	llee	Name						identification number	
•	k it a— rsolidated retu		Use IRS	Wer sad	GALVAN	ZING /	we.		11-	1572517	
		= 1	label.	Number and street (o	P.O. box number if ma	il is not delivered	d to street addre	(22	E Date incor	porated	
	sonal holding	<sup>∞.</sup> ⊔	Other- wise,	11-02	BROAD!	VAU		· 1		-1-47	
cor	p.(as defined	in	please	City or town, state, as					F Total asset	ts (See Specific Instruction	ons.)
	np. Regs. sec 141-41—see		print or type.	LONG	<b>A</b>	City	NY 1	1106		Poliars (	Cents
	tructions)	<u>. Ψ</u>							\$	581399	
E Ch				return (2) Final i	eturn (3) Change	in actives		c Bal ▶	11c	1968939	<del></del>
	la Gross				_ b Less returns and a			1	2	1612 780	
		_		•	chedule A)				3	356159	
-	_			-					4		*
_	4 Divid	ends (S	chedule C	C, line 19)					5		
псоше	5 inter	est .	• • •						6		<del></del>
00	6 Gros	s rents							7	<del></del>	<del>.</del> .
드		s royalti						· · · · ·	8		
	8 Capi	tal gain i	net incom	ne (attach separat	e Schedule D)	• • • •	• • • •	• • • • •	9	- M. C. (1985)	
	9 Net	gain or (	oss) from	n Form 4797, Par	II, line 18 (attach	Form 4797)			10		<del></del>
	10 Othe	r incom	e (see ins	tructions—attac	n schedule)					356 159	
					and enter here .				11	59 250	
_	12 Com	pensatio	on of offic	ers (Schedule E)					. 12	39 20	
deductions.)	13a Sala	ries and	wages [	1	b Less jobs (	credit		c Balance ▶			<del></del>
물	14 Rep	airs .			·				. 14		
륳	15 Bad	debts .				و جوړ ما ما		* · · ·	. 15		<del></del>
5	16 Ren	ts							. 16	3111 161	<del>                                     </del>
=	17 Taxe	es							. 17	214 15)	<del> </del>
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See Instructions for limitations	19 Con	tribution	is (see in	structions for 10	% limitation)				19		<del> </del>
٥							. 20	2882		5885	1
Ë	21 Les	s deprec	iation cla	imed in Schedule	A and elsewhere o	n return .	. 21a		21b	2 802	
支		letion .							. 22		<del> </del>
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ons	1		•	tach schedule)					. 26	51288	+
					ough 26 and ente	r here.			▶ 27	377616	<u></u>
Deducti	28 Tax	able inc	ome befo	re net operating l	oss deduction and	special dedu	ctions (line 1	1 less line 27)	. 28	(21757	12_
ē	29 Les	er a Nat	onne stind	loss deduction (see	instructions)		[29a]	<u> </u>			1
ب	23			ctions (Schedule			. 29b		29c	F. 1. 5 (Sept. 1)	
	30 Ta:			28 less line 29c)					. 30	(21057	<u> </u>
	i i		Schedule						. 31	-0-	
	1			yment credited to 1988	322						
	b 19			payments	32b						
Ē	r 100			ed for on Form 4466	32c (	) d t	32d			_	.
2	Ta			form 7004			32e			_	ļ.
- C	f Cr				panies (attach Fo		3.2f				
Tax and Payments	e Cri				Form 4136)		32g		32h		<del> </del>
×	33 En	ter anv	enalty f	or underpayment	of estimated tax-	-check ► 🔲	if Form 222	0 is attached	. 33		
-	34 Ta	x due	If the tot	al of lines 31 and	33 is larger than li	ne 32h, ente	r amount ow	red	. 34	-0 -	
					han the total of line				. 35		
		ar amoun	of line 35	von want: Credited i	net betamitee PRP1 o	<b>&gt;</b>		Refunded	<b>▶</b> 36	<u> </u>	
_		Under	penalties o	perjury, I declare tha	I have examined this re Declaration of preparer (	turn, including	accompanying s	chedules and state	ments, and i	to the best of my knowledge	edge and
	lease	belief	it is true, c	ortect, and complete	ecuaration of preparer (	Ah	eyery is based on	· earmonnation.or	mineri higher	er ima mit inmutenger	
	ign	<b> </b>	\ <i>\</i>	The !	Herecul	XX		\	<u> </u>		
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-		Prepa	<del></del>	. /	(	1	Date	Ch		reparer's social securi	tý number
	aid	signat				,		Check if self-empk	oyëd 🔲	<u>::</u>	
	reparer's		s name (or	. \				E.I.	No. ►	1	<u> </u>
	Ise Only		if self-empl ddress	oyed)				ZIP	code 🕨	•	

(a) Name of officer	(b) Social security number	(c) Percent of time devoted to	Percent of stock	corporation	
a grand Currier and		business	(d) Common	(e) Preterred	(f) Amount of compensation
1 JOHN SWEENEY JR.	102-32-7056	100 %	50 %	%	33280
LOBERT SWEENEY	102-32-1575	100 %	<b>50 %</b>	%	26000
		- %	%	%	
	<u> </u>	%	%	%	
		%	%	%	
2 Total compensation of officers					
3 Less: Compensation of officers claime 4 Compensation of officers deducted as	d in Schedule A and elsev	vhere on return			()
4 Compensation of officers deducted on	line 12, page 1	<u> </u>	<u></u>	••,	59280

Sch	nedule J Tax Computation (	See instructions.)			Z
1	Check if you are a member of a cor	ntrolled group (see sections 156)	1 and	nd 1563) ▶ 🗆	
2	If line 1 is checked:				ž.
2	Enter your share of the \$50,000 a	nd \$25,000 taxable income brace	cket a	amounts (in that order):	Vi.
	(i) \$ (ii)	5	1 è		Ž.
b	Enter your share of the additional	5% tax (not to exceed \$11,750)	13		•
3	Income tax (See instructions to fig service corporation (see instruction	ure the tax). Check this box if the	e cor	orporation is a qualified personal	777.
4.	a Foreign tax credit (attach Form 11				<b>%</b>
·	b Possessions tax credit (attach For	m 5735)		4b	<i>\\\\</i> .
	c Orphan drug credit (attach Form	5765)	٠,	4c 4c	
•	d Credit for fuel produced from instructions)	a nonconventional source (	see	4d	
	e General business credit. Enter her		ched:		<b>////</b>
•	Form 3800 Form 3468				
	Form 6478 Form 6765			4e	<i>₩.</i>
	f Credit for prior year minimum tax			41	
1	1 Credit for prior year minimum tax	(attach Form 5001)	•. •		
5	Total—Add lines 4a through 4f		•		_
			•		•
6	5 Line 3 less line 5				
7	Personal holding company tax (a)	ttach Schedule PH (Form 1120)	) .		
8	B Recapture taxes. Check if from: L	Form 4255 Form 8611	•	· · · · · · · · · · · · <del>                                      </del>	
. 9	9a Alternative minimum tax (see ins	structions—attach Form 4626)			
	b Environmental tax (see instruction	ons—attach Form 4626)	• •	96	_
10	O Total tax—Add lines 6 through 9	b. Enter here and on line 31, pa	ge 1	1	
	dditional Information (See instruct		ŀ	11621	No
	Refer to the list in the instructions and sta		K	At any time during the tax year, did the corporation have an interest in or a signature or other authority over a financial account in a	
	(1) Business activity code no. ► 3Y			foreign country (such as a bank account, securities account, or	
	(2) Business activity - CAL	YANIZING-	3	other financial account)?	
	(3) Product or service ►			(See instruction F and filing requirements for form TD F 90-22.1.)	Mi
1	(1) Did the corporation at the end of the	VIIIII.297911		If "Yes," enter name of foreign country ▶	
•	indirectly, 50% or more of the v	oting stock of a domestic		Was the corporation the grantor of, or transferor to, a foreign trust	
	corporation? (For rules of attribution	on, see section 267(c).)	֝֟֓֓֓֓֓֓֓֓֓֓֓֓֓֓֓֓֓֓֓֓֓֓֓֓֓֓֓֓֓֓֓֓֓֓֓֓	which existed during the current tax year, whether or not the	
	If "Yes," attach a schedule showii	ng: (a) name, address, and		corporation has any beneficial interest in it?	
	identifying number; (b) percentage income or (loss) before NOL and	e owned; and (c) taxable special deductions of such		If "Yes," the corporation may have to file Forms 3520, 3520-A, or 926.	
	corporation for the tax year endi	ng with or within your tax	м	A During this tax year, did the corporation pay dividends (other than	
	year.		Â	stock dividends and distributions in exchange for stock) in excess of	
	(2) Did any individual, partnership, co	rporation, estate, or trust at		the corporation's current and accumulated earnings and profits?  (See sections 301 and 316.)	- L
	the end of the tax year own, directled of the corporation's voting stock?	Y or indirectly, 50% or more		If "Yes," file Form 5452. If this is a consolidated return, answer	3/1///
	section 267(c).) If "Yes," complete			here for parent corporation and on Form 851, Affiliations Schedule,	
	(a) Attach a schedule showing nat			for each subsidiary.	
	number. SCH &	300 Y	N	N During this tax year did the corporation maintain any part of its accounting/tax records on a computerized system?	
	(b) Enter percentage owned ▶	10010	0		
	(c) Was the owner of such voting U.S. person? (See instructions	STOCK a person other than a		(1) Cash	<i>[3:11]]</i>
	corporation may have to file f		4	(2) Accrual	
	If "Yes," enter owner's count	VIIII/VIII		(3) ☐ Other (specify) ►	
	J Was the corporation a U.S. sharehold	der of any controlled foreign	P	P Check this box if the corporation issued publicly offered debt	
	corporation? (See sections 951 and 95)	7.)		instruments with original issue discount	
	If "Yes," attach Form 5471 for each su	ch corporation.			
		·		the tax year ▶ 1 0 1	
			R	R Enter the number of shareholders at the end of the tax year if there were 35 or fewer shareholders > 2	

Form 1120 (1988)							
Schedule L Balance Sheets			(c)	(d)			
Assets	(a) 	(b)		15082			
1 Cash		449					
2 Trade notes and accounts receivable							
a Less allowance for bad debts		275274		423 199			
3 Inventories		121214	<i>/////////////////////////////////////</i>	13562			
4 Federal and state government obligations		·	######################################				
5 Other current assets (attach schedule)		307	######################################				
6 Loans to stockholders							
7 Mortgage and real estate loans							
8 Other investments (attach schedule)	1 2 2 4 ~ 1		24 کا 2 کا حد				
9 Buildings and other depreciable assets	210922	/329/	216807	750 b_			
a Less accumulated depreciation	210 722		W//				
10 Depletable assets			////	Manna da			
a Less accumulated depletion		///					
11 Land (net of any amortization)							
12 Intangible assets (amortizable only)		_\#####################################					
a Less accumulated amortization							
13 Other assets (attach schedule)			<i>¥////////////////////////////////////</i>	# /a			
14 Total assets		420635		581:09			
Liabilities and Stockholders' Equity							
15 Accounts payable		202409	<i>Y////////////////////////////////////</i>	81033			
16 Mortgages, notes, bonds payable in less than 1 year	VIIIIIIIIIIIIIIIIIIIIIIIIIIIIIIIIIIIII		VIIII III III III III III III III III I				
17 Other current liabilities (attach schedule)	<b>VIIIIIIIIIIIIIIII</b>			168547			
18 Loans from stockholders	<i>VIIIIIIIIIIIIIIIIIIIIIIIII</i>	25000	<i>\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\</i>	160000			
	<i>Viiiiiiiiiiiiiiiiiiiiiiiiiiiiiiiiiiii</i>	67748	<i>~////////////////////////////////////</i>				
19 Mortgages, notes, bonds payable in 1 year or more	<i>\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\</i>	<u> </u>	<i>*////////////////////////////////////</i>	67748			
20 Other liabilities (attach schedule)			yamaaanaanii Vii	uummihininguhinimi			
21 Capital stock: a Preferred stock	201=	396.0	39650				
b Common stock	39650	7,050		7 (7)			
22 Paid-in or capital surplus	<b>V</b>	<u> </u>	_{/////////////////////////////////////				
23 Retained earnings—Appropriated (attach schedule)	VIIIIIIIIIIIIIIIIIIIII		- <b>Y</b> ////////////////////////////////////	/ // 2= .			
24 Retained earnings—Unappropriated	VIIIIIIIIIIIIIIIII	82878		69-71			
25 Less cost of treasury stock	<i>VIIIIIIIIIIII</i>						
26 Total liabilities and stockholders' equity		420625		(61 - 92)			
Schedule M-1 Reconciliation of Income p	er Books With In	come per Return (Yo	u are not required to com	plete this schedule			
if the total assets on line 14, co			<b>)</b> 0.)				
1 Net income per books	(21427)	7 Income recorde	d on books this year not				
2 Federal income tax			return (itemize):				
3 Excess of capital losses over capital gains			erest \$				
• • • • • • • • • • • • • • • • • • • •		· -					
4 Income subject to tax not recorded on books		i .					
this year (itemize):							
	•		is tax return not charged				
5 Expenses recorded on books this year not			ome this year (itemize):				
deducted in this return (itemize):			\$				
a Depreciation \$		1	carryover \$				
b Contributions carryover\$							
c Travel and entertainment . \$	<b>.</b>						
***************************************	<b>.</b>						
			and 8	\-\( \( \)			
6 Total of lines 1 through 5	1/21457	) 10 Income (line 28, p	page 1)—line 6 less line 9	(21457)			
Schedule M-2 Analysis of Unappropriate	d Retained Earni	ngs per Books (line 2	4, Schedule L) (You at	re not required to			
complete this schedule if the t		+, column (a), of Schedu	ile L are less than \$25,00	0.)			
1 Balance at beginning of year	82828	5 Distributions:	a Cash				
2 Net income per books		<b>1</b> 1	b Stock				
3 Other increases (itemize):	F	- 1	c Property				
*	· •	3	es (itemize):				
	•	O Other decidas	en lireiture), sessesses				
***************************************	· <b>-</b>	7 Total of lines 5	and 6				
4 Total of lines 1, 2, and 3	64371		of year (line 4 less line 7)	6437			
- rotation integ 1, 2, 810 3	· 1 3771	A Délauce at suo	o. year time 4 leas line /)	1 91.51			

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EXTENSION FILED TO.. 12-23-89 A122106-R8162531-1229-10039 OMB No. 1545-4123 U.S. CORPORATION INCOME TAX RETURN For calendar year 1988 or tax year beginning...11-01-88, ending...10-31-89 1988 ent of the Treasury ▶ For Paperwork Reduction Act Notice, see page 1 of the instructions. nal Revenue Service eck if a -Employer identification number A Consolidated return 11-1572517 NELSON GALVANIZING INC B Personal holding co. E Date Incorporated Number and street Personal service corp. (as defined in Temp. Regs. sec. 1.441.41 -see 11-02 BROADWAY 11-01-47 F Total assets (See Specific Instruction City or town, State, and ZIP code instructions) LONG ISLAND CIT, NY 11106 6 Check applicable boxes: (1) | Initial return (2) | Final return (3) | Change in address 581.399 1a Gross receipts or sales 1,968,939 b Less returns and allowances 1,968,939 2 1,612,780 2 Cost of goods sold and/or operations (Schedule A) 3 356,159 3 Gross profit (line 1c less line 2) 4 Dividends (Schedule C, line 19) 5 Interest 6 Gross rents 7 Gross royalties . 8 8 Capital gain net income (attach separate Schedule D) \_\_\_\_\_\_ 9 9 Net gain or (loss) from Form 4797, Part II, line 18 (attach Form 4797) 10 10 Other income (see instructions - attach schedule) 11 Total income - Add lines 3 through 10 and enter here 356,159 12 Compensation of officers (Schedule E) 12 59,280 13c 13a Salaries and wages \_\_\_\_\_\_ b Less jobs credit 14 Repairs 15 15 Bad debts 16 16 Rents 17 214,151 20,400 18 Interest 19 Contributions (see instructions for 10% limitation) 19 20 Depreciation (attach Form 4562) 21a 5,885 21 Less depreciation claimed in Schedule A and elsewhere on return 22 22 Depletion 23 23 Advertising 24 Pension, profit-sharing, etc., plans 26,612 25 Employee benefit programs 26 51,288 26 Other deductions (attach schedule) 27 Total deductions - Add lines 12 through 26 and enter here 27 377,616 28 28 Taxable income before net operating loss deduction and special deductions (line 11 less line 27) (21,457)29 Less: a Net operating loss deduction (see instructions) 29b 29c b Special deductions (Schedule C, line 20) 30 (21,457)NONE

30 Taxable income (line 28 less line 29c) 31 Total Tax (Schedule J) 32 Payments: a 1987 overpayment credited to 1988 32a b 1988 estimated tax payments 32b c Less 1988 refund applied for on Form 4466 32c ( ) d Bal 32d e Tax deposited with Form 7004 f Credit from regulated investment companies (attach Form 2439) 32f g Credit for Federal tax on fuels (attach Form 4136) 32h NONE 33 Enter any penalty for underpayment of estimated tax - check▶ if Form 2220 is attached 34 34 Tax Due-If the total of lines 31 and 33 is larger than line 32h, enter amount owed ...... 35 Overpayment - If line 32h is larger than the total of lines 31 and 33, enter amount overpaid \_\_\_\_\_\_ 36 Enter amount of line 35 you want Credited to 1989 estimated tax ▶ Refunded▶ Under penalties of perjury. I declare that I have examined this return, including accompanying schedules and statements, and to the best of my knowledge and belief, it is true, correct, and complete. Declaration of preparer (other than taxpayer) is based on all information of which preparer has any knowledge.

Preparer's Use Only

.. 88 T12A 01/10/89 INT.

Signature of officer

Preparer's

signature

Please Sign Here

Paid

DEDUCTIONS Instructions for limitations

HARVEY R. GLICK, C.P.A. Firm's name and address 106 DONNYBROOK ROAD

SCARSDALE, NY

Date

E.I. No.

Check if self-

employed X

110-40-2941

Praparer's social security no

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BR

BERTHOLON ROWLANDCORP

to: Jeff Bechtel

from: Michael Mintzer

Ne: Nelso~

Theor seem relevant for the adminiphrative Record,

PHONE: 800-727-7770 FAX: 212-577-0140 WWW.BR-CORP.COM

Here are your originals.

ES

Jeff,

We already had the documents in this.

Package except for:

Package except for:

Tan 19 Site Visit. - . 9 and notice

John 19 Site Visit. - . 9 and notice

Attachment 3 - Order Management

Attachment 3 - Lab Data Management

Attachment 3 - Lab Data Management

We have incorporated them into the

We have incorporated them Records Ed!

**REGION II** 

DATE:

JUN 1 6 1999

SUBJECT: Referral to Superfund - Nelson Galvanizing Inc. (NGI) Facility, Long Island City, N.Y.

FROM: George Pavlou, Director

ORIGINAL SIGNED BY
GEORGE PAVLOU
d Compliance Assistance

Division of Enforcement and Compliance Assistance

TO: Richard L. Caspe, Director

Emergency and Remedial Response Division

I am writing to bring your attention to a matter which may require Superfund involvement. The conditions at Nelson Galvanizing represent a potential threat to safety and the environment. A CERCLA Removal Action occurred at this facility in 1991 during which hazardous and potentially hazardous wastes and materials were consolidated, staged and removed. However, since that time, more waste, including hazardous waste, has accumulated at the facility.

The facility is located at 11-02 Broadway in Long Island City, New York 11106. Since 1994, the facility has been closed and no galvanizing has occurred. Long Island City High School is located down the block. Children from the school frequent the block on which the facility is located. The facility is in disrepair, with walls and ceilings falling down.

In late 1994, EPA and John Sweeney, President of Nelson Galvanizing signed a RCRA Consent Order (Attachment 5) in which Sweeney was to remove all solid and liquid wastes and raw materials that accumulated since the CERCLA clean-up. Removal was to be completed by late 1995.

New York City Department of Environmental Protection (NYCDEP) Industrial Waste Unit (IWU) inspections between 1995 and 1996, found the facility inactive. In April 1997, IWU referred Nelson to the Division of Emergency Response and Technical Assessment. Nelson had shipped off some material and had dismantled a tank. Subsequently, NYCDEP issued a summons to Mr. Sweeney answerable in criminal court. The purpose of the summons is to force Mr. Sweeney to clean up the site. Mr. Sweeney appeared in Court and claimed that he could not afford to conduct a site-wide clean up. A hearing is scheduled for August 5, 1999. However, the Court cannot order Mr. Sweeney to clean up the site. It can, however, impose a criminal penalty. This information was obtained from NYC Department of Law Attorney Michael Williams.

In June 1998, RCB inspected the facility and a sampling inspection was conducted in July 1998. Approximately 60 to 70 drums, some filled and some partially filled with lead contaminated ferrous sulfate sludge were found. The sludge was generated as a result of the emptying and dismantling of a 7,000 gallon tank of sulfuric acid in which iron was cleaned prior to galvanization. We estimate that about one third of the drums may be hazardous waste. In addition, a 3,000 gallon tank partially filled with sulfuric acid and a 3,000 gallon tank partially filled with sodium hydroxide were found. Both are hazardous waste. The acid tank was TC for chromium and the sodium hydroxide tank was hazardous for corrosiveness. A 1,200 gallon tank partially filled with zinc ammonium chloride (not hazardous) was also found. A DESA sampling report is attached (Attachment 1). The facility has virtually no security.

A RCRA § 3007 Information Request Letter (Attachment 2) was sent to Mr. Sweeney, President of the NGI facility on September 24, 1998. NGI was given thirty (30) days to respond. RCB received no response. As a result, a Notice of Violation (NOV) (Attachment 3) was issued on November 6, 1998. Mr. Sweeney refused to accept this letter.

A second NOV (Attachment 4) was sent to Mr. Sweeney on December 28, 1998 for the following violations: (1) failure to respond to an information request letter; and (2) failure to abide by the requirements of the 1994 consent agreement/consent order (CA/CO) (Attachment 5). It too was not accepted and returned to RCB.

On December 30, 1998, another RCRA § 3007 information request letter (Attachment 6) requesting information on a particular requirement of the CA/CO was sent to Mr. Sweeney. This letter too was refused and returned.

In January 1999, RCB attempted to hand deliver all the above documents. We were permitted to inspect the facility (our observations indicated that there were no apparent changes since July 1998) but John Sweeney once again refused to accept the documents.

If you have any questions please don't hesitate to call me or have a staff member call Phil Clappin of my staff at (212) 637-4129.

#### Attachments 1 - 7

bcc: George Meyer, DECA-RCB
Phil Flax, DECA-RCB
Phil Clappin, DECA-RCB
Wilkie Sawyer, ORC-WTSB
Paul Kahn, ERRD-RPB
RCRA file

To File:

January 19, 1999 Site Visit and Attempted Hand Delivery of Second RCRA § 3007 Information Request Letter and Second Notice of Violation (NOV) to

Nelson Galvanizing.

From:

Philip Clappin, RCRA Enforcement Officer

RCRA Compliance Branch

Date:

February 5, 1999

EPA's site visit to the Nelson Galvanizing, Inc. facility on January 19, 1999 was meant to accomplish two things including the following: (1) hand deliver a RCRA § 3007 Information Request Letter and a Notice of Violation (NOV) which were previously refused when sent certified mail return receipt requested, and (2) conduct a site visit to observe first hand that the ferrous sulfate hazardous waste and other materials remained on site in virtually the same manner that they were found at an earlier RCRA Compliance Evaluation Inspection (CEI) on June 3, 1998 and an earlier sampling visit on July 23, 1998. These activities are described below in the order that they were conducted at the facility.

# Attempted Serving of Correspondence -

On January 19, 1999, Joseph Zaharuk and I attempted to hand deliver to Mr. John Sweeney, previously identified as the President of Nelson Galvanizing, Inc., two letters including a RCRA § 3007 Information Request Letter and a Notice of Violation (NOV). The address of the facility is 11-02 Broadway, Long Island City, New York 11106. These letters were previously sent via certified mail, returned receipt requested (Z009143554 and Z009143551, respectively) but were returned to us undelivered because Mr. John Sweeney refused to accept them and sign the return receipt.

Upon entering the facility we approached the office area and knocked on the door. John Sweeney came to the door. I gave him the two (2) correspondence and asked him why he had not accepted and signed for the letters. He indicated that his lawyer, Anthony D. Pistone, Esq., located at 163-10 Northern Blvd., Flushing, N.Y. 11358 (suite # 205), whose phone number is (718) 539-6000, told him to refuse anything addressed to Mr. John Sweeney, President of Nelson Galvanizing, Inc. During our conversation, Mr. Sweeney indicated that he is not president and never has been president of Nelson Galvanizing, Inc. Mr. Sweeney did indicate that when the facility was operating he was in charge of the facility. He refused to accept the abovementioned correspondence because they were addressed to him, Mr. John Sweeney, President of Nelson Galvanizing, Inc. He informed me that he wants to cooperate with the agency but his lawyer has advised him not to accept any correspondence that is addressed to him as president of Nelson Galvanizing, Inc. We left without serving the correspondence.

Site Visit to Substantiate the Continued Storage of Ferrous Sulfate and other wastes at the Facility.

After we attempted to serve Mr. Sweeney the correspondence and Mr. Zaharuk left the facility, I

requested to take a closer look at the area where the wastes and chemicals were stored. During my June 3, 1998 visit to the facility I observed the presence of numerous drums (approximately 60 x 55-gallon drums) of ferrous sulfate being stored in two areas on the floor of the facility. Much of the concrete floor that originally existed at the facility has been eroded and/or otherwise removed providing direct access to the soil if a leak should occur. The number of drums of this material remained approximately the same and the drums remained uncovered, unlabeled, and undated. Plastic sheeting was placed on top of two piles of the corroded, bent drums. The general condition of the drums is and was poor. Their appearance and the number remained virtually unchanged.

I also observed the three (3) chemical tanks containing (1) sulfuric acid, (2) zinc ammonium chloride, and (3) sodium hydroxide. From information received during my June 3, 1998 CEI and the Sampling Visit of July 23, 1998, Mr Sweeney and his assistant Jean Luc Lescoat (during the July 23, 1998 visit) indicated that these materials had been stored on-site for a total of at least four (4) years after the facility closed. The chemicals were virtually unused commercially during that time. Mr. Sweeney indicated that he allowed friends to use these liquids to clean engine parts.

During the June 3, 1998 and the July 23, 1998 visits, all three (3) tanks were virtually uncovered (a plastic dropcloth had covered only the sulfuric acid tank but it was in bad shape) allowing rain water from the "non-existing", poorly maintained roof to enter them unimpeded, increasing the potential for releases to occur. During this visit, all the tanks had approximately the same amount of liquid contents as was observed during the CEI and the sampling visit. All three (3) tanks were covered with clear plastic dropcloths which seem to have been added after my previous visits to the site. In addition, the dropcloth that covered the sulfuric acid tank was in much better shape. These dropcloths were used to prevent rain water from entering the tanks and help prevent overtopping and potential releases.

Other than what appear to be new dropcloths covering the tanks containing liquid chemicals there were no apparent changes at the facility in terms of the storage and/or handling of the hazardous wastes and/or liquid wastes.

To:

John T. Sweeney 11-02 Broadway Long Island City, New York 11106

### ORDER

Pursuant to the authority vested in me by sections 1403 and 1403(h), as amended, of the New York City Charter, and by section 24-608 and 24-610 of the New York City Administrative Code, (New York City Hazardous Substances Emergency Response Law) I hereby order that the following action be taken:

Whereas, on or about April 17, 1998, the New York City Department of Environmental Protection was made aware of the release or substantial threat of release of a hazardous substance(s), corrosives, and poisons, at 11-02 Broadway, Long Island City, New York 11106.

(Block 316 Lot 1); and

Whereas, the release or substantial threat of release of hazardous substance(s), corrosives, and poisons, into the environment constitutes a violation of Title 24, Chapter 6 of the New York City Administrative Code; and

Whereas, such release or substantial threat of release may present an immediate and substantial danger to the public health or welfare or to the environment, and;

Whereas, pursuant to Title 24, Chapter 6 of the New York City Administrative Code, you are deemed a responsible person to whom an order to implement response measures or to cooperate with and assist the Commissioner in implementing any response measures may be issued:

Therefore, the following work, cooperation or assistance is required at 11-02 Broadway, Long Island City, New York per the attached Scope of Work Order.

The time for compliance with this Order begins immediately.

# NOTICE: TO PROTECT YOUR RIGHTS, READ THIS NOTICE:\*

- 1. Failure of a responsible person to comply with this order within the stated time may result in the work being performed by the Department of Environmental Protection, or, may result in an application to a court of competent jurisdiction for an order directing the responsible person to comply.
- 2. Any responsible person who, without sufficient cause, willfully violates, or fails or refuses to comply with, any order of the Commissioner issued pursuant to section 24-608 may be liable: (a) for a civil penalty of not more that \$5,000 for each day in which such violation occurs or such failure or refusal to comply continues; and (b) for an additional civil penalty in an amount at least equal to, and not more than three times, the amount of any costs incurred by the City as a result of such person's willful violation, or failure or refusal to comply. Such penalties may be recovered in a civil action brought in the name of the Commissioner or in a proceeding before the Environmental Control Board.
- 3. All cost incurred by the City, including but not limited to the costs of the Departments of Environmental Protection, Health, and Sanitation, and the Police and Fire Departments, for response measures implemented pursuant to Title 24, Chapter 6 or any other applicable provision of law shall be a debt recoverable from each responsible person and a lien upon the real property of or at which an owner, operator, lessee, occupant or tenant is a responsible person and at which such response measures were implemented.
- 4. In addition to establishing a lien, the City may recover such costs and interest thereon by bringing an action against the responsible person. The institution of such action shall not suspend or bar the right to pursue any other lawful remedy for the recovery of such costs.
- 5. You may request a hearing for a determination as to whether this order should be modified or revoked. You must request a hearing in writing, within ten (10) working days of service of this order. Your request must give your name, the location of the site which is the subject of this order, the date of service of this order, the substance which was released or may be released, and the action ordered to be taken. Your request must also specifically state the reason why you are requesting the hearing and must include an address for subsequent service of documents.:

1

Failure to request a hearing within the stated time period will result in a loss of the right to challenge this order. Your request for a hearing must be served on the Department of Environmental Protection either personally, or by certified or registered mail at the following location:

> NEW YORK CITY DEPARTMENT OF **ENVIRONMENTAL PROTECTION** OFFICE OF GENERAL COUNSEL - 19TH FLOOR ATTENTION: HAZARDOUS SUBSTANCES **EMERGENCY RESPONSE ATTORNEY - RUSSELL PECUNIES** 59-17 JUNCTION BOULEVARD ELMHURST, NEW YORK 11373-5107

You will be notified by mail of the decision with regard to your request for a hearing. Your request for a hearing when served within the stated time period, stays compliance with this order.

6. A copy of this order is filed with the office of the register in the county in which is situated the property with respect to which such order was issued.

Date

A. Miele Sr., P.<del>I</del>

Commissioner, Department of Environmental Protection

State and City of New York, County of Oueens, ss:

day of May , 1998. Before me personally came Joel A. Miele Sr., P.E. to me known and known to me to be the Commissioner of the Department of Environmental Protection of the City of New York, the person described as such in and who as such executed the foregoing instrument and he acknowledged to me that he executed the same as Commissioner for the purposes therein mentioned

JUDAH PRERO

Notary Public

Notary Public, State of New York No. 02PR5089343 Qualified in Kings County

Commission Expires Dec R 1999

\*A copy of the rules and regulations promulgated under the authority of Sections 1403 and 1404 of the New York City Charter, and by Sections 24-609(a) and (b), 24-610(a)(4), and 24-611 of the Administrative Code, is attached to this order.

# SCOPE OF WORK

# Containment, Cleanup, and Technical Assessment John T. Sweeney

11-02 Broadway, Long Island City, NY 11106 DEPACS# 98H000812 Block# 316, Lot# 1

All of the work to be done under this scope of work must be performed in compliance with all applicable federal, state, and local laws and regulations; including the requirements of the United States Environmental Protection Agency (USEPA), the United States Occupational Safety and Health Administration (OSHA), the New York State Department of Environmental Conservation (NYSDEC), the New York State Department of Health (NYSDOH), the New York City Fire Department (FDNY) and the New York City Department of Environmental Protection (NYCDEP). The following procedures must begin immediately and be completed by the dates specified.

## SECURITY

Task# 1: Immediately secure the site to prevent unauthorized entry. This must begin upon service of this Order.

## SECURITY

Task# 2: Immediately report any disturbance of chemical inventory to DEP-DERTA 24 hr Communications at (718) DEP-HELP. includes but is not limited to, product release, indiscrepancies of liquid levels in existing vessels, tranfers of chemical product into other vessels or containment devices etc.

# INVENTORY

Task# 3: Provide NYCDEP Division of Emergency Response & Technical Assessment (DERTA), with an inventory list of all chemical substances stored at the site. These must be received by DEP no

# INVENTORY

Task# 4: Provide NYCDEP Division of Emergency Response & Technical Assessment (DERTA), with Material Safety Data Sheets (MSDS's) of all chemical substances stored at the site. This must be received . by DEP no later than May 11, 1998.

#### INVENTORY

Task# 5: Repackage chemicals which are stored in dented, broken, or otherwise damaged containers. This must by May 15, 1998. be

## INVENTORY

Task# 6: Label all containers appropriately. This must be done

# SAMPLING

Task# 7: Sample all waste waters and unknown chemical substances

for chemical analysis, to identify and characterize all materials on site. This must be completed by May 20, 1998.

#### SAMPLING

Task# 8: Perform soil analysis of all affected areas to determine the extent of contamination. This must be completed by May 22, 1998.

#### SAMPLING

Task# 9: Provide NYCDEP Division of Emergency Response & Technical Assessment (DERTA), with written analysis from a New York State certified laboratory, of all sample analysis performed. This must be received by DEP no later than May 29, 1998.

#### REMOVAL

Task# 10: Containerize spilled substances into DOT specification drums or containers. This must be completed by June 1, 1998.

#### REMOVAL

Task# 11: Excavate all contaminated soil on the site for disposal. This must be completed by June 10, 1998.

#### REMOVAL

Task# 12: Containerize and label all chemical wastes, waste plating solutions and sludge for transport and disposal. This must be completed by June 12, 1998.

#### REMOVAL

Task# 13: Transport and dispose of all chemical wastes, hazardous waste sludge, and waste water. This must be done by June 19, 1998.

#### REMOVAL

Task# 14: Transport and dispose of all contaminated or unusable materials on the site, to prevent release into the environment. This must be completed by June 19, 1998.

#### REMOVAL

Task# 15: Fill excavated areas with clean soil or clean backfill material. This must be completed by June 22, 1998.

# DOCUMENTATION

Task# 16: Provide NYCDEP Division of Emergency Response & Technical Assessment (DERTA), with copies of all Hazardous Waste Manifests, and Bills of Lading for the transport and disposal of all hazardous substances from the site. These must be received by DEP by June 26, 1998.

# UNITED STATES ENVIRONMENTAL PROTECTION AGENCY REGION II

IN THE MATTER OF:

Nelson Galvanizing, Inc. and Nelson Foundry Company, Inc. 11-02 Broadway Iong Island City, New York

NYD001229350

Proceeding under Section 3008 of the Solid Waste Disposal Act, as amended 42 U.S.C. § 6928

CONSENT AGREEMENT

AND

CONSENT ORDER

Docket No. II RCRA-91-0206

#### PRELIMINARY STATEMENT

This is a civil administrative proceeding instituted pursuant to Section 3008 of the Solid Waste Disposal Act as amended by the Resource Conservation and Recovery Act ("RCRA") and the Hazardous and Solid Waste Amendments of 1984, ("HSWA"), 42 U.S.C. § 6901 et seq. ("RCRA" or the "Act").

Complainant in this proceeding, Conrad Simon, Director of the Air & Waste Management Division of the U.S.

Environmental Protection Agency, Region II, issued a COMPLAINT, COMPLIANCE ORDER AND NOTICE OF OPPORTUNITY FOR HEARING (the "Complaint") to Nelson Galvanizing Inc. and

Nelson Foundry Company, Inc. ("Respondent") on September 13, 1991, as a result of inspections conducted on or about December 13, 1990 and February 15, 1991 which revealed that Respondent had violated or was in violation of one or more requirements of Subtitle C of RCRA, the New York State Environmental Conservation Law, and the regulations promulgated thereunder concerning the management of hazardous waste.

The parties have reached an amicable resolution of this matter and have agreed to this Consent Agreement and Consent Order as a resolution of this proceeding without further litigation.

#### EPA FINDINGS OF FACT AND CONCLUSIONS OF LAW

- 1. Respondent is Nelson Galvanizing, Inc. (according to Respondent's Answer filed on October 16, 1991, there is no such entity as Nelson Foundry Company Inc., which was named in the Complaint). Respondent owns and/or operates a facility known as Nelson Galvanizing located at 11-02 Broadway, Long Island City, New York (the "facility").
- 2. Respondent is a "person," as that term is defined
  in Section 1004(15) of RCRA, 42 U.S.C. § 6903(15), 40 C.F.R.
  § 260.10, and in 6 NYCRR § 370.2(b)(123).

- 3. Respondent was a "generator" of hazardous wastes, as that term is defined in 40 C.F.R. § 262.10 and in 6 NYCRR § 370.2(b)(74).
- 4. By notification dated August 31, 1988, Respondent Nelson Galvanizing, Inc. informed EPA that it conducts activities at its facility involving "hazardous waste" as that term is defined in Section 1004(5) of RCRA, 42 U.S.C. § 6903(5), and in 40 C.F.R. § 261.3 and 6 NYCRR § 371.1(d) and was issued the EPA Identification Number NYD001229350.
- 5. On or about November 29, 1990, and February 15, 1991 inspections of the facility were conducted, pursuant to Section 3007 of RCRA, 42 U.S.C. § 6927, by a duly-designated representative of EPA to determine compliance with specific state and federal regulations for the management of hazardous waste.
- 6. On or about December 13, 1990, and January 16, 1991 sampling inspections of the facility were conducted, pursuant to Section 3007 of RCRA, 42 U.S.C. § 6927, by a duly-designated representative of EPA to determine compliance with specific state and federal regulations for the management of hazardous waste. Results of samples taken at the sampling inspections indicated that many of the drums at the facility contained D002, D007, and D008 wastes.

- 7. On or about January 29, 1991 Complainant issued to Respondent a Request for Information under § 3007 of RCRA and § 104(e) of CERCLA.
- 8. On or about March 22, 1991 Complainant received from Respondent a response to the Request for Information referenced in paragraph 7.
- 9. On the basis of the inspections and the response to the request for Information, Complainant determined that Respondent violated RCRA and the regulations promulgated thereunder as follows: by failing to label or clearly mark each container of hazardous waste being accumulated on-site with the words "Hazardous Waste"; by failing to provide the date upon which each period of accumulation begins, clearly marked and visible for inspection on each container of hazardous waste stored at the facility; by accumulating hazardous waste on-site for more than 90 days without obtaining a permit or without having interim status; by failing to keep closed all containers of hazardous waste except when it is necessary to add or remove waste; by failing to transfer all hazardous waste in containers that are leaking to containers that are in good condition; by failing to open, handle or store hazardous waste containers in a manner which will avoid rupturing the container or causing it to leak; by failing to maintain aisle space to

allow the unobstructed movement of personnel, fire protection equipment, spill control equipment and decontamination equipment to all areas of facility operations; by failing to inspect areas where hazardous wastes are stored on at least a weekly basis looking for leaks and deterioration caused by corrosion and other factors; by failing to have facility personnel complete a program of classroom instruction or on-the-job training that teaches them to perform their duties in a way that ensures compliance with the requirements of 40 C.F.R. Part 265 and to maintain the documents and records at the facility for each position at the facility related to hazardous waste management including the job title, the name of each employee filling each job, a written job description, a written description of the type and amount of training that will be given to each person, and records that document training or job experience for each position; by failing to operate the facility so as to minimize the possibility of fire, explosion, or any unplanned sudden or non-sudden release of hazardous wastes or hazardous waste constituents to air, soil, or surface water which could threaten human health or the environment; by failing to maintain an internal communication or alarm system capable of providing immediate emergency instruction to facility personnel; by failing to test and maintain fire protection equipment and other equipment to assure their proper

operation in time of emergency; by failing to have a contingency plan for its facility designed to minimize hazards to human health or the environment from fire, explosions, or any unplanned sudden or non-sudden release of hazardous waste or hazardous waste constituents to air, soil or surface water.

10. Respondent submitted several consecutive recent years of corporate tax returns which supported its contention that it was unable to pay the penalty set forth in the Complaint.

## CONSENT AGREEMENT

Based upon the foregoing, and pursuant to Section 3008 of RCRA, 42 U.S.C. § 6928 and the "Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation or Suspension of Permits" 40 C.F.R. § 22.18, it is hereby agreed as follows:

- 1. For the purpose of this proceeding, Respondent admits the jurisdictional allegations of the Complaint. Respondent neither admits nor denies specific factual allegations contained in the Complaint.
- 2. Respondent shall place a notice in the deed to the property on which the facility resides, using the procedures set forth in 40 C.F.R. § 265.119, indicating that the land

has been used to manage hazardous wastes and that contamination may remain.

- 3. Regarding the alleged contamination at the facility, both Complainant and Respondent reserve their rights as to their responses to dealing with it at some future date.
- 4. In July of 1994, Respondent supplied Complainant with a written inventory of chemicals currently stored on the site which included 30 gallons of sulphuric acid (raw), 7000 gallons of sulphuric acid and water, 2000 gallons of caustic soda and water, and 400 gallons of zinc ammonia chloride and water. With regard to all of the materials except the raw sulphuric acid, the 9400 gallons of waste materials must be stored in compliance with all hazardous waste storage requirements (including appropriate containers, labelling etc.) if these materials exhibit any characteristic identified in 40 C.F.R. Part 261 (either through generator knowledge or testing). One year after the effective date of this agreement, the materials mentioned above must be either removed from the facility or Respondent must apply for a permit to manage such materials.
- 5. Respondent shall hereafter comply with all applicable RCRA provisions and the regulations promulgated thereunder.
- 6. Respondent shall pay, by cashier's or certified check, a civil penalty for the violations cited above, in

the amount of five hundred (\$500.00) dollars, payable to the "Treasurer of the United States of America", and mailed to EPA Region II (Regional Hearing Clerk), P.O. Box 360188M, Pittsburgh, Pennsylvania 15251. The check shall be identified with a notation of the name and docket number of this case as follows: In the Matter of Nelson Galvanizing Inc. and Nelson Foundry Company Inc., Docket No. II RCRA-91-0206. Payment must be received at the above address on or before 45 calendar days after the effective date hereof, set out below in paragraph 12 (the date by which payment must be received shall hereafter be referred to as the "due date"). Respondent shall also send a copies of this payment to Stuart N. Keith, Assistant Regional Counsel, and George Meyer, Chief, Hazardous Waste Compliance Branch at Region II. Complainant agrees to endeavor to promptly mail to Respondent a copy of the fully executed Consent Agreement and Consent Order.

- a. Failure to pay the penalty in full according to the above provisions will result in the referral of this matter to the United States Department of Justice for collection.
- b. Further, if payment is not received on or before the due date, interest will be assessed, at the annual rate established by the Secretary of the Treasury pursuant to 31 U.S.C. § 3717, on the overdue amount from the due date through the date of payment.

In addition, a late payment handling charge of \$15.00 will be assessed for each thirty (30) day period following the due date in which the balance remains unpaid.

- 7. This Consent Agreement is being voluntarily and knowingly entered into by the parties in full and final settlement of all civil liabilities that might have attached as a result of the specific allegations contained in Counts 1 through 13 of the Complaint. The parties reserve the rights set forth in paragraph 3 above. Respondent has read the Consent Agreement, understands its terms, finds it to be reasonable and consents to its issuance and its terms. Respondent consents to the issuance of the accompanying Consent Order.
- 8. Respondent explicitly and knowingly consents to the assessment of the civil penalty as set forth in this Consent Agreement and agrees to pay the penalty in accordance with the terms of this Consent Agreement.
- 9. Respondent explicitly and knowingly waives its right to request or to seek any Hearing on the Complaint or on any of the allegations therein asserted, on this Consent Agreement or on any of the matters herein stated, or on the accompanying Consent Order.
- 10. Respondent waives any right it may have pursuant to 40 C.F.R. § 22.08 to be present during discussions with or to be served with and reply to any memorandum or

communication addressed to the Regional Administrator or the Deputy Regional Administrator where the purpose of such discussion, memorandum, or communication is to recommend that such official accept this Consent Agreement and issue the attached Consent Order.

- Each undersigned signatory to this Consent Agreement certifies that he or she is duly and fully authorized to enter into and ratify this Consent Agreement and all the terms and conditions set forth in this Consent Agreement.
- The effective date of this Consent Agreement shall 12. be the date Regional Administrator signs the Consent Order accompanying this Consent Agreement.

RESPONDENT:

NAME: (Please Print)

TITLE:

BY:

RE S DATE:

COMPLAINANT:

Air and Waste Management Division U.S. Environmental Protection Agency Region II

## CONSENT ORDER

The Regional Administrator of EPA, Region II, concurs in the foregoing Consent Agreement. The Consent Agreement entered into by the parties is hereby approved and issued, as an Order, effective immediately as of the date herein indicated below.

Jeanne M. Fox
Regional Administrator
U.S. Environmental Protection
Agency Region II
26 Federal Plaza
New York, New York 10278

DATE: 60/20/84



# RCRA ENFORCEMENT SURVEY SAMPLING INSPECTION

NELSON GALVANIZING INC. Long Island City, New York

NYD001229350

July 23, 1998

Participating Personnel:

U.S. Environmental Protection Agency Robert Morrell, Geologist Thuan Tran, Environmental Scientist William Glynn, Environmental Scientist Phillip Clappin, Geologist

<u>Nelson Galvanizing Inc.</u> Jean-Luc LesCoat

Report Prepared By:

Robert & Monall 1 3/2/99
Robert Morrell, Geologist

Approved for the Director By:

Dore La Posta, Chief

Monitoring and Assessment Branch

# RCRA Enforcement Survey Sampling Inspection

# Objective and Site Background

The results of a RCRA sampling investigation in 1990-91 indicated that Nelson Galvanizing was generating and storing hazardous waste at its Long Island City facility. A Superfund removal action was completed at the Nelson Galvanizing facility in 1991 to properly dispose of all hazardous wastes that were being stored on-site. After the removal action was completed, Nelson Galvanizing resumed operations again in 1991 and continued operations for 2-3 years, generating and storing additional hazardous wastes. In 1994, Nelson Galvanizing signed a RCRA Consent Agreement/ Consent Order to remove and dispose of all hazardous waste and hazardous materials. In 1998, the hazardous waste and hazardous materials were still being stored at the Nelson Galvanizing facility.

At the request of the RCRA Compliance Branch, a RCRA sampling investigation was conducted at Nelson Galvanizing on July 23, 1998. The purpose of this investigation is to determine if hazardous waste is being stored on-site. The results of the analyses will be used to determine compliance with regulations pertaining to the Resource Conservation and Recovery Act (RCRA).

# Survey Participants

Nelson Galvanizing Inc.
Jean-Luc LesCoat

U.S. Environmental Protection Agency Phillip Clappin, Geologist William Glynn, Environmental Scientist Thuan Tran, Environmental Scientist Robert Morrell, Geologist

# Facility Description

Nelson Galvanizing, a former galvanizing operation, is located on Broadway in Long Island City, New York. The facility received materials made of steel and iron. The material was first cleaned with wire brushes and then sometimes dipped in a sodium hydroxide bath to further remove paint, grease, and other contaminants. The material was then placed in a heated 5% sulfuric acid bath. To keep the iron from oxidizing, the material was placed in a pre-flux solution of zinc ammonium chloride. The material was then dipped several times in a vat containing the pre-flux solution floating on molten zinc. The material was allowed to cool before being delivered to the

#### customer.

The waste acids were placed in 55-gallon drums, where iron sulfate sludge was precipitated. The iron sulfate sludge is currently being stored in 55-gallon drums throughout the facility. The facility is also being used as a parking garage.

# Sampling Activities

Six drums and three tanks were selected for sampling. All samples were collected while wearing Level C personal protection. The sampling investigation began at Drum #1. Drum #1 consisted of a 55-gallon blue poly drum, half full of a clear liquid. Litmus paper indicated a pH of 11. The drum was sampled using a glass coliwasa. The sample (#090110) was analyzed for Corrosivity.

The sampling investigation continued at Drum #2, which consisted of a 55-gallon steel drum that was 75% full with iron sulfate sludge. Drum #2 was sampled with a polypropylene scoop. The sample (#090111) was analyzed for TCLP Metals.

The sampling team proceeded to Drum #3, which was a 55-gallon steel drum that was half full with iron sulfate sludge. Drum #3 was sampled with a polypropylene scoop. The sample (#090112) was analyzed for TCLP Metals.

The sampling survey continued at Drum #4, which consisted of a 55-gallon steel drum that was 75% full with iron sulfate sludge. Drum #4 was sampled using a polypropylene scoop. The sample (#090113) was analyzed for TCLP Metals.

The sampling team proceeded to Drum #5, which consisted of a 55-gallon steel drum that was 75% full with iron sulfate sludge and a liquid. Litmus paper indicated that the liquid had a pH of 2-3. The sludge sample (#090114) was collected with a polypropylene scoop and analyzed for TCLP Metals. The liquid sample (#090115) was collected with a polypropylene scoop and analyzed for Corrosivity.

The sampling investigation continued at Drum #6, a 55-gallon steel drum. Drum #6 was 75% full with iron sulfate crystals. The sample (#090116) was collected with a polypropylene scoop and was analyzed for TCLP Metals.

Sampling activities continued at the zinc ammonium chloride tank, which was full. Litmus paper indicated a pH of 4. A liquid sample of the tank was collected using a glass coliwasa. This sample (#090117) was analyzed for Corrosivity. A sludge sample of the tank was collected using a rod and clamp. This sample (#090118) was analyzed for TCLP Metals.

The sampling investigation continued at the sodium hydroxide tank, which was two-thirds full and contained no sludge. Litmus paper revealed a pH of 13. A liquid sample (#090121) was collected with a glass coliwasa and was analyzed for Corrosivity.

The sampling team proceeded to the sulfuric acid tank, which was full. Litmus paper indicated that the liquid in the tank had a pH of 2-3. A liquid sample (#090119) of the tank was collected with a glass coliwasa. This sample was analyzed for Corrosivity and TCLP Metals. A sludge sample (#090120) of the tank was collected with a rod and clamp. This sample was analyzed for TCLP Metals.

# **Analytical Results**

Sample Location	Sample Matrix	TCLP Cadmium (mg/L)	TCLP Chromium (mg/L)	TCLP Lead (mg/L)	Corrosivity (pH)		
#090110 Drum #1	Liquid		<del></del> -		10.3		
#090111 Drum #2	Sludge	ND	ND	3.1			
#090112 Drum #3	Sludge	Sludge 0.2 ND 6.8					
#090113 Drum #4	Sludge	ND	ND				
#090114 Drum #5	Sludge	ND	ND	ND	<u></u>		
#090115 Drum #5	Liquid	<b></b>		<b>*-</b>	2.2		
#090116 Drum #6	Sludge	ND	ND	5.9			
#090117 Zinc Ammonium Chloride Tank	Liquid	<b></b>	<b></b>	, <b>u</b> =	4.0		
#090118 Zinc Ammonium Chloride Tank	Sludge	ND	ND	4.2			

#090119 Sulfuric Acid Tank	Liquid	1.1	7.6	ND	2.8
#090120 Sulfuric Acid Tank	Sludge	0.2	ND	ND	<b></b>
#090121 Sodium Hydroxide Tank	Liquid		)	<del></del>	13.6

#### ND - not detected

All samples were placed in coolers with wet ice and transported to the EPA Region II Laboratory in Edison, New Jersey. Only those analytes which were detected are reported in the above table. A complete list of analytes is included in the attached Laboratory Analysis Report.

#### Findings and Conclusions

Analytical results indicate that Nelson Galvanizing is storing hazardous waste at its facility in Long Island City:

- 1. Drum #3 Based on the analytical results, the contents of this drum exhibit the RCRA characteristic of Toxicity. The TCLP Lead concentration of 6.8 mg/L is above the TCLP Lead regulatory level of 5.0 mg/L. This drum should be labelled as a D008 hazardous waste.
- 2. Drum #6 The contents of this drum also exhibit the RCRA characteristic of Toxicity. The TCLP Lead concentration is 5.9 mg/L, which exceeds the TCLP regulatory level for Lead (5.0 mg/L). This drum should also be labelled as a D008 hazardous waste.
- 3. Sulfuric Acid Tank The liquid in this tank exhibits the RCRA characteristic of Toxicity. The TCLP Cadmium concentration is 1.1 mg/L, which exceeds the TCLP regulatory level for Cadmium (1.0 mg/L). The TCLP Chromium concentration is 7.6 mg/L, which exceeds the TCLP regulatory level for Chromium (5.0 mg/L). This tank should be labelled as a D006 hazardous waste and a D007 hazardous waste.
- 4. Sodium Hydroxide Tank The liquid in this tank exhibits the RCRA characteristic of Corrosivity. The pH of the liquid in the tank is 13.6, which is well above the regulatory level of 12.5 for Corrosivity.

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## **Attachments**

Photographs (#1-#16)
Laboratory Analysis Report
Chain of Custody
Analysis Request
Field Data Sheets

## PHOTO LOG

**Photo #1:** Drum #1.

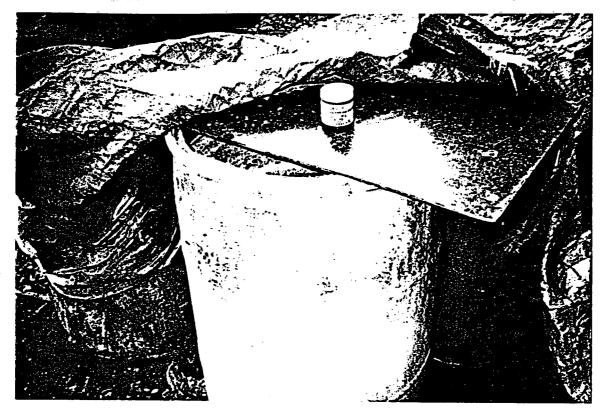


Photo #2: Drum #2.

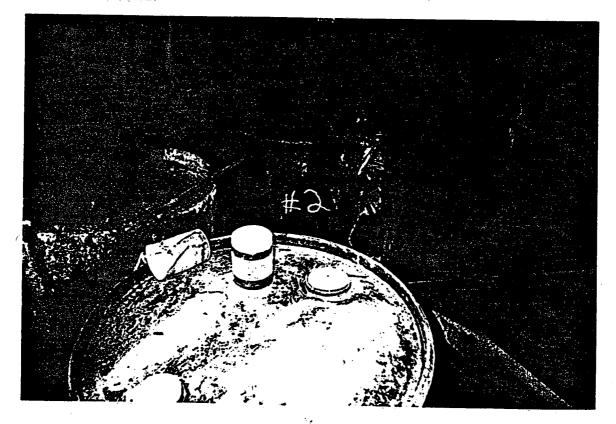


Photo #3: Drum #3.



Photo #4: Drum #4.



Photo #5: Drum #5.

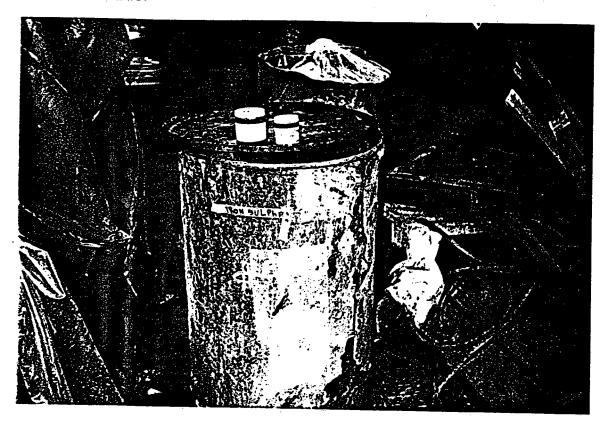


Photo #6: Drum #6.

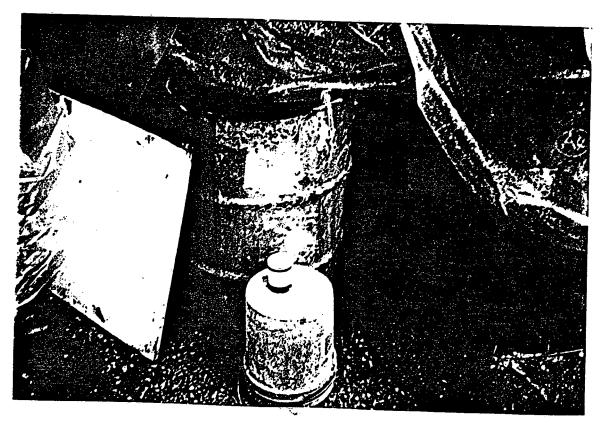


Photo #7: Zinc Ammonium Chloride Tank.

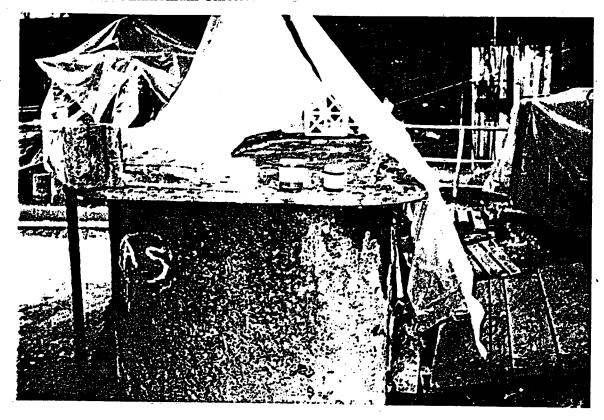


Photo #8: Another view of Zinc Ammonium Chloride Tank.

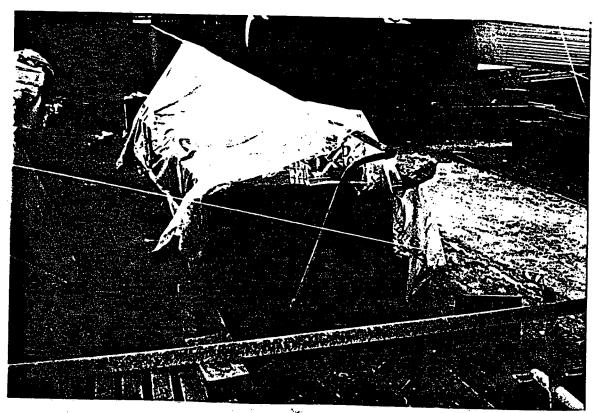


Photo #9: Sodium Hydroxide Tank.

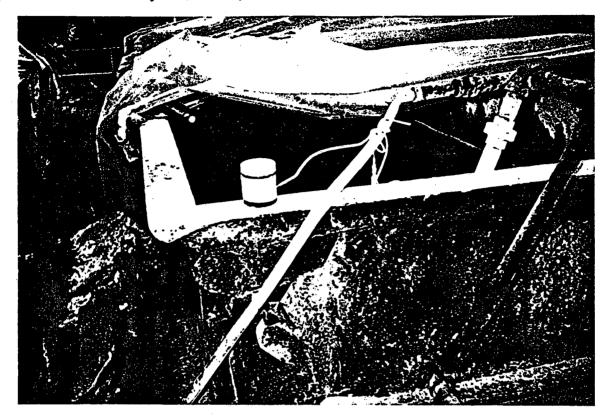


Photo #10: Another view of Sodium Hydroxide Tank.

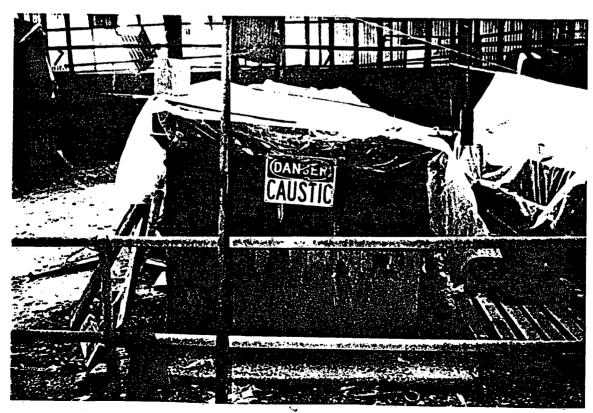


Photo #11: Sulfuric Acid Tank.



Photo #12: Another view of Sulfuric Acid Tank.

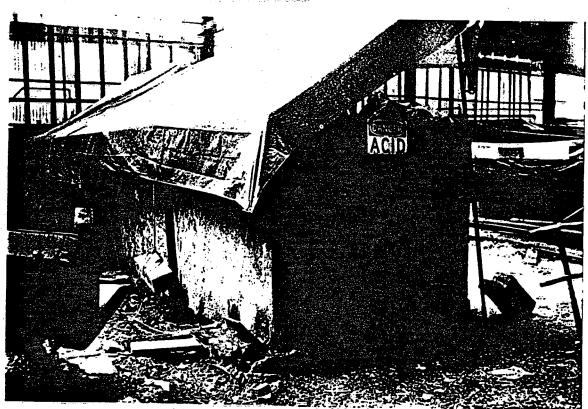


Photo #13: Location where Drum #1 was being stored.

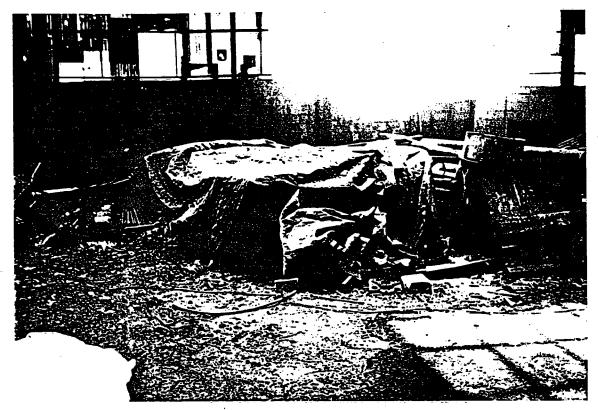


Photo #14: Location of Drum #2 and Drum #3.



Photo #15: Location of Drum #4, Drum #5, and Drum #6.

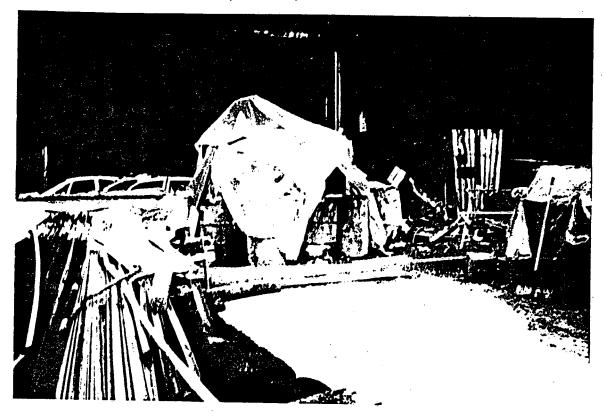


Photo #16: View inside Nelson Galvanizing facility. The left side is currently being used as a parking garage. The right side is used to store hazardous waste.



# LAB DATA MANAGEMENT SYSTEM - REGION III COMPLETED PROJECT APPROVAL

REPORT DATE 98/11/16

PROJECT NUMBER

PROJECT DATE

PROJECT NAME

876

98/07/23

NELSON GALVANIZING

Mr.

APPROVED

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ONE CRIME & ASSESSMENT

#### COMPLETED ANALYSIS REPORT

REPORT DATE: 98/11/16

PROJECT NO: 876

#### PROJECT NAME: NELSON GALVANIZING

#### EXPLANATIONS OF REMARK CODES

REMARK CODE	EXPLANATION
В	RESULTS BASED UPON COLONY COUNTS OUTSIDE ACCEPTABLE RANGE
J <sup>r</sup>	ESTIMATED VALUE
·K	ACTUAL VALUE KNOWN TO BE LESS THAN VALUE GIVEN
L	ACTUAL VALUE KNOWN TO BE GREATER THAN VALUE GIVEN
N	NO OBSERVABLE EFFECT CONCENTRATION < 0.3%
0	SAMPLED BUT NOT ANALYZED DUE TO LAB ACCIDENT
Ŧ	REPORTED VALUE LESS THAN CRITERIA OF DETECTION
U	REPORTING LIMIT

#### QA/QC REMARK CODES

CODE	EXPLANATION.
QD	ACCURACY CHECK SAMPLE ABOVE UPPER ACCEPTANCE LIMIT
QE	ACCURACY CHECK SAMPLE BELOW LOWER ACCEPTANCE LIMIT
QF	PRECISION OF CALIBRATION CURVE LESS THAN ACCEPTANCE CRITERIA
.QJ	ESTIMATED DETECTION LIMIT DUE TO INTERFERENCE
QG.	CONTINUING CALIBRATION CHECK DOES NOT MEET ACCEPTANCE CRITERIA
QS	SPIKE RECOVERIES ABOVE UPPER ACCEPTANCE LIMIT
QR	SPIKE RECOVERIES BELOW LOWER ACCEPTANCE LIMIT
QP	SAMPLE REPLICATE PRECISION DOES NOT MEET ACCEPTANCE CRITERIA
QH	RECOMMENDED HOLDING TIMES EXCEEDED
QT	TENTATIVELY IDENTIFIED COMPOUND
QM	PRESENCE OF MATERIAL VERIFIED BUT NOT QUANTIFIED
QB	BLANK CONTAMINATED BY ANALYTE IN EXCESS OF ACCEPTANCE CRITERIA
QQ	SAMPLE IMPROPERLY PRESERVED

LOCATION CODES FOR IDENTIFICATION OF SAMPLING POINTS AT INDUSTRIAL / SANITARY FACILITIES, LANDFILLS, HAZARDOUS WASTE SITES.

CODE NUMBERS	SAMPLING POINTS
1001 - 1050	EFFLUENT PIPE NUMBER 001 TO 050
1051 - 1099	OTHER EFFLUENTS SUCH AS COOLING TOWER DISCHARGE, DISCHARGE FROM HOLDING PONDS, ETC
1100 - 1249	IN PLANT SAMPLES
1435 - 1454	SEPARATE INFLUENT POINTS/WATER SOURCES
15XX	INFLUENT ASSOCIATED WITH EFFLUENT 10XX
2000	BLANK FOR VOLATILE ORGANICS
3000 - 3099	GROUND WATER FROM WELL 01 TO 99
3100 - 3199	SEDIMENT SAMPLE (WATER BOTTOM)
3200 - 3299	SOIL SAMPLE
3300 - 3399	STREAM WATER SAMPLE
3400 - 3499	LAGOON SAMPLE
3500 - 3599	STORAGE TANK SAMPLE
3600 - 3699	LEACHATE SAMPLE
3700 - 3799	OTHER TYPE SAMPLE

REPORT DATE: 98/11/16

#### COMPLETED ANALYSIS REPORT

COMMERCIED ANALISIS REFOR

PROJECT NO: 876

PROJECT NAME: NELSON GALVANIZING

DATE STATION NO FROM TO	TIME OF DAY	LABNO P/	ARNO PARAMETER NAME	UNITS	CHEMISTRY	VALUE & REMARK	QA/QC REMARK
 NONE 98/07/23 DEPTH: 0000 SUBSTRATE DESCRIPTION: DRUM #1	1146 : OTHER						
NONE 98/07/23 DEPTH: 0000 SUBSTRATE DESCRIPTION: DRUM #2		090110 99	9920 CORROSIVITY	PH		10.3	
NONE 98/07/23 DEPTH: 0000 SUBSTRATE: DESCRIPTION: DRUM #3		99 99 99 99	9999 SILVER 1999 ARSENIC 1999 BARIUM 1999 CADMIUM 1999 CHROMIUM 1999 LEAD 1999 SELENIUM	MG/L MG/L MG/L MG/L MG/L MG/L MG/L	TCLP TCLP TCLP TCLP TCLP TCLP TCLP	1 20 0.2 1 3.1 0.2	บ บ บ
NONE 98/07/23 DEPTH: 0000 SUBSTRATE: DESCRIPTION: DRUM #4	1156 SLUDGE	99 99 99 99 99	999 SILVER 999 ARSENIC 999 BARIUM 999 CADMIUM 999 CHROMIUM 999 LEAD 999 SELENIUM	MG/L MG/L MG/L MG/L MG/L MG/L MG/L	TCLP TGLP TGLP TGLP TGLP TGLP	1 : 1 20 : ( 0.2 1 : ( 6.8 0.2 : (	u ü
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#### REPORT DATE: 98/11/16

PROJEC	T NO: 876		PROJECT	NAME: N	ELSON GALVANIZ	ĮÑG				*
STATION NO	DATE FROM TO	TIME OF DAY	LABNO	PARNO	PARAMETER NAM	E <sub>.</sub> L	JNITS	CHEMISTRY	VALUE & REMARK	QA/QC REMARK
NONE DEPTH: 0000 DESCRIPTION	SUBSTRATE	: SLUDGE								
				99999 99999 99999 99999	ARSENIC BARIUM CADMIUM CHROMIUH LEAD	÷	MG/L MG/L MG/L MG/L MG/L	TCLP TCLP TCLP TCLP TCLP	1 20 0.2 1	U U U U
NONE DEPTH: 0000 DESCRIPTION:	SUBSTRATE:	: OTHER		<b>YYYYY</b>	SELENIUM		MG/L	TCLP	0.2	U
NONE DEPTH: 0000 DESCRIPTION:	SUBSTRATE:		090115	99920	CORROSIVITY		PH .		2.2	
<b>DEPTH: 0000</b>		AQUEOUS		99999 99999 99999 99999	ARSENIC Bartum Cadmium Chronium	·	MG/L MG/L MG/L MG/L MG/L MG/L MG/L	TCLP TCLP TCLP TCLP TCLP TCLP	1 20 0.2 1 5.9	บ บ บ บ
NONE DEPTH: 0000	LIQUID 98/07/23 SUBSTRATE:	SLUDGE	090117	99920 (	CORROSIVITY	•	PH		4.0	
nearwiri inn;	SLUDGE	IUM CHLORIDE TANK -		99999 <i> </i> 99999	RSENIC		MG/L MG/L MG/L MG/L MG/L	TCLP TCLP TCLP TCLP TCLP	1 1 20 0.2 1	บ บ บ

REPORT DATE: 98/11/16

#### COMPLETED ANALYSIS REPORT

PROJECT NO: 876

DATE TIME STATION NO FROM OF TO DAY

NONE 98/07/23 1230 DEPTH: 0000 SUBSTRATE: OTHER

DESCRIPTION: SULFURIC ACID TANK - LIQUID

98/07/23 1234 DEPTH: 0000 SUBSTRATE: SLUDGE

DESCRIPTION: SULFURIC ACID TANK - SLUDGE

98/07/23 1222 NONE DEPTH: 0000 SUBSTRATE: OTHER

DESCRIPTION: SODIUM HYDROXIDE TANK

PROJECT NAME: NELSON GALVANIZING

LABNO	PARNO	PARAMETER	NAME		UNITS	CHEMISTRY	VALUE & REMARK	QA/QC Remark
						i .	•,	
090118					MG/L	TCLP	4.2	
	99999	SELENIUM	•		MG/L	TCLP	0.2	
,							٠	•
090119	99999	SILVER			MG/L	TCUP	1.	11
		ARSENIC			MG/L	TCLP	1	
	99999	BARIUM			MG/L	TCLP	20	_
		CADMIUM			MG/L	TCLP	1.1	· ·
	99999	CHROMIUM	•		MG/L	TCLP	7.6	
	99999	LEAD .			MG/L	TCLP	1	U
	99999	SELENIUM			MG/L	TCLP	0.5	
	<b>9992</b> 0	CORROSIVITY			PH		2.8	
090120		Cityrin						
		SILVER ARSENIC		*	MG/L	TCLP	1: (	
	77777 00000	BARIUM			MG/L	TCLP	. 1/1	
	99999	CADMIUM			MG/L	TCLP	20 (	ט
Ġ	99999	CHROMIUM			MG/L	TCLP	0.2	
Ġ	99999	LEAD			MG/L MG/L	TCLP TCLP	1 !	
		SELENIUM			MG/L	TCLP	1 ( 0.2 (	
					1107 C	ICEP	0.2 (	J
090121 9	9920 (	CORROSIVITY			PH		13.6	

\*\*\*\* END OF PROJECT \*\*\*\*

## **CHAIN OF CUSTODY RECORD**

Environmental Protection Agency - Region II
Environmental Services Division
EDISON, NEW JERSEY 08817

Name of	Unit and	Address: N21507	n Galvanizin	3		•	near .	
		43/17	iland City, New	17 4	rk		·	
Sample Number	Number of Containers	Description of Sample						
CHOFE	1		r for Corresivity					
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Person	Assuming R	esponsibility for Sample:	A CAMPANA	<del> </del>	<u> </u>		Time	Date
			Burkey Work		<u> </u>		12:17	7/27/4
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Number		<b>by</b> :	Received By:	lime	Date	Reason for Change	of Custody	i
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## **ANALYSIS REQUEST**

CHEM BIO. BACT OT	HER

#### **ENVIRONMENTAL PROTECTION AGENCY**

Form: FTB RPD-11-82-1

Environmental Services Division	EDISON, N.J.
Date of Request 7/23/44	Priority Immediate Normal Deferred
Source of Sample(s) Nelson Golvanzina	
Sample Number(s) 070116 -> 090121	
Type of Sample	Dother (Specify) Sindy + Comprise Linguists
PHYSICAL CHARACTERISTICS	
☐ Turbidity ☐ Color	☐ Specific Gravity ☐ Corrosivity (RCRA)
□ Volatile Solids □ Total Solids	☐ Viscosity ☐ Other
☐ Total Suspended Solids ☐ Dissolved Solids	□ % Solids
☐ Volatile Suspended Solids ☐ Settleable Solids	☐ Ignitability (RCRA)
ORGANIC/DEMAND ANALYSES	☐ Priority Pollutants ☐ Specific Compound
□ Day BOD Desticides	□ POA □ Identify
□ TOC □ Herbicides	Other Major Peaks
☐ TOD ☐ Long-term O₂ Demand (Carbon)	☐ EP Toxicity ☐ Quantitate
☐ PCB's ☐ Long-term O₂ Demand (Total) ☐ Total ☐ Volatile Acids	☐ Pesticides
☐ Specific Aroclors ☐ Oil (Identify)	☐ Herbicides ☐ Oil & Grease (Quantitate)
INORGANIC ANALYSES	
· _ · ·	TKN Cd Ba
·	Org N
	NH <sub>2</sub> -N □ Cu □ Ag
	NO <sub>2</sub> ·N
	I NO₃-N ☐ Zn ☐ Hexavalent Cr
	J AH-P □ Cr
☐ Hardness ☐ Total ☐	Ortho-P
□ Ca	Metal Scan Tolf Applic CN-
☐ Mg ☐ Free ☐	F- F-
☐ Total/METHOD ☐ Total ☐	He (No Hercary)   NI
SENSITIVITY / METHOD	
□ COD □ Phosphorous	Phenol Metals (TCLP)
☐ High Level (>50 mg/l) ☐ Total	□ 0-1,000 ppb □ Total
☐ Low Level (< 50 mg/l) ☐ Dissolved	☐ Above 1,000 ppb ☐ Dissolved
	□ Low Sensitivity
1100000	☐ High Sensitivity
MICROBIOLÓGY	BIOLOGY
MF MPN Est. Range	□ Static
FC	- I town moogh
FS   Ames Test	
☐ Pathogens ☐ Viral Enhan	
□ Bacterial □ Other (Spec	cify) 🗆 Benthos ID 🗀 Identify
□ Viral □ ATP	☐ Fish ID ☐ Quantitate
Requested by A. W. Date 7/23/38	
Percentile	Approved by Date

	Project Name	alson ballan	7-M2		Samples	io:			
	Collector(s)	Cal Plana A	ffiliation 🚣 😘	E PA	Bact	Bio	Chem	Other	7
			1		-				_
	SAMPLING METHOD		LDMS CODE .		Station N	0.			_
	Kemmerer Dr	edge Ponar Manual	DATA BASE C	ODE (E				T T	<del></del>
	Niskin Net		DATA BASE C	OUE		111			-
	Trowel Cream	• •	STA. TYPE CO	DE	Comple B		VEna Lac		
	Automatic Other		İ	•	Sample U	epin (Fi	.)/Fac. Loc	Code	
	Other	LAND BAR					<b>,</b>		
	0110070175 7705 //	Of 1 1			<b>ॏ</b> ┖──┴──		4		
	SUBSTRATE TYPE (	Circle) Aqueous S	ediment Sludg	<del>▼</del>	Lab Num	ber		_	
		Solvent Ext	ract Other ( 🗅	omos de Caustil	n	901	10		
-	1000 0-40-4					201	T 0		
	BOD — Seed Suppli		Source:		Type of S				
		Preparation (Circle)	<del></del>	ource Type (Circle)	Grab		mposite	٦	
	Container	Cleaning Procedure	Landfill	Industrial	{	Tim	e   Space		
	Glass Jar	Detergent Wash	Leachate	Effluent				J	
	Plastic Jar	Water Rinse	Drum	Process Stream	Collection	'	g) Date		
	Metal	Acid Rinse	Test Well	Holding Pond	حير الإح	Мо	_Day_	<b>!</b>	,
	POA Vial	Solvent Rinse:	Depth:	Drum			- :	ļ	
	Cubitainer	Acetone	Other:	Waste Pile	Ending Ti	me /24 k			
	Acetate Core	Hexane		Municipal Treatment		(27 (	, i		
	Paper Cap	Methylene Chloride	Storage Tank	Influent		<u>ا</u> ا			
`	Teflon Cap	Other (Specify):	Тор	Effluent-Cl	\ <del></del>	<u> </u>	J		
	Foil Cap	Fig Processing	Middle	Effluent-Non Cl	Beginnin			1	
	Other	<b>*1</b>	Bottom	Sludge	Yr	Мо	Day		
		Participation of the second	Truck	Ambient		L,L		j	
	Preservation		Drum	Lake					
	Acid		Tank	Stream	Beginnin	g Time (2	24 Hr)		
	Solvent		Other	_ Pond					
	Chemical	•		Ocean		L. J	J		
	<wet.lce< td=""><td></td><td>Wells</td><td>Estuary</td><td>рН</td><td></td><td>,</td><td></td><td></td></wet.lce<>		Wells	Estuary	рН		,		
	Dry Ice		Monitoring				1		
	Ambient		Production			<u> </u>	_		
	Other		Drinking		Sample 7	emn (°C	4		
		<u> </u>	Private			Ç.,,p. ( C	Ϋ́		
	Sample Location De	escription:				1.	]		
	$\Lambda \epsilon$ and	n #/			DO (mg/l)		_		
	1,2.	* 1			JO (1.1911)		ñ		
	•	•					1		
					0		_) .a.		
					Cond. (u)	MHOS/CI	VI)	, '	
							1 1		
		• •				اب	11	į	
	Remarks: , :		<del></del>		Salinity(%	60)	-		
	nemarks:	9							
	y <b>43</b> V •	101		• .		Щ.,	_		
	والأصباب الم	elysis. Lylassian tor	و المركام	7. <del>1</del> 4	Sample S	plit	_		
	•	į i	•	*/	O Y	'as "	No.		
					1				
					If Yes Wi	th Whon	1?	gora	
				**************************************	Receipt	□ Ye	es D	No	
						,	.· <del>=</del>	-	
				•					

Project Name	than inalvan.	Samples to:			
Collector(s)	religion A	filiation U	e eta	Bact Bio Chem	Other
SAMPLING METHOD		LDMS CODE	2.0	Station No.	,
Kemmerer Dr	edge Ponar Manual		<b></b>	Station No.	
Niskin Net	Seine Trawi Bucket	DATA BASE CO	ODE		
Trowel Cream		STA. TYPE CO			
Automatic		JUNE 11FE OU		Sample Depth (Ft.)/Fac. Loc.	Code
Other Plas	tic Scoon	×.s			
SUBSTRATE TYPE (	Circle) - Aqueous Se	diment Sludge	Oil Biological	Lāb Number	
	Solvent Ext	ract Other (	)	090111	]
BOD — Seed Suppli	· · · · · · · · · · · · · · · · · · ·	Source:		Type of Sample	•
Sample P	reparation (Circle)	Sample S	ource Type (Circle)	Grab Composite	
Container	Cleaning Procedure	Landfill	Industrial	Time Space	
-Glasş Jar	Detergent Wash	Leachate	Effluent		
Plastic Jar	Water Rinse	Drum	Process Stream	Collection (Ending) Date	
Metal	Acid Rinse	Test Well	Holding Pond	Yr Mo Day	
POA Vial	Solvent Rinse:	Depth:	Drum>	11-11-15-12-1	-
Cubitainer	Acetone	Other:	Waste Pile		
Acetate Core	Hexane		Municipal Treatment	Ending Time (24 Hr)	
Paper Cap	Methylene Chloride	Storage Tank	Influent	7/////////	
Teflon Cap	Other (Specify):	Тор	Effluent-Cl		
Foil Cap	EST ALLENS	Middle	Effluent-Non Cl	Beginning Date	
Other		Bottom	Sludge	Yr Mo Day	
	3 letters	Truck	Ambient		
Preservation		Drum	Lake		
Acid	,	Tank	Stream	Beginning Time (24 Hr)	
Solvent		Other	Pond		
Chemical			Ocean		
Wet Ice	<u>†</u> ·	Wells	Estuary	nu lu	· · · · · · · · · · · · · · · · · · ·
Dry Ice	1	Monitoring	1	pH	
Ambient		Production			
Other		Drinking			
		Private		Sample Temp. (°C)	
Sample Location De	escription:			<b>-                                     </b>	
				<del> </del>	
1.7	ium #2			DO (mg/l)	
,	•				
		•		Cond. (uMHOS/CM)	
	•	•			
				Salinity(% <sub>a</sub> )	
Remarks:		······································		Saminy(700)	
Aza	W1.5-				
					•
	n elasjar tor	- TULP	Motels	Sample Split	
	and the second second second second	; •=;	, , <del>, , , , , , , , , , , , , , , , , </del>	□ Yes ⊡ <sup>'</sup> No	
	•			If Yes With Whom?	
			5	Receipt 🗆 Yes 🖸	io
•			<b>&gt;</b>	Receipt  Yes  1	10

Project Name Nelson Colvan. Z.na				Samples to:		
 Collector(s)	TUI Blynn A	ffiliation		Bact Bio Chem Other		
Niskin Net Trowel Crean	redge Ponar Manual Seine Trawl Bucket	Station No.  Sample Depth (Ft.)/Fac. Loc. Code				
SUBSTRATE TYPE (		ediment Sludg	e Oil Biological	Lab Number		
 BOD Good Compile		· · · · · · · · · · · · · · · · · · ·	·	090112		
BOD — Seed Suppli		Source:		Type of Sample		
	Preparation (Circle)	<del> </del>	ource Type (Circle)	Grab Composite		
Container	Cleaning Procedure	Landfill	Industrial	Time Space		
Glass Jar	Detergent Wash	Leachate	Effluent			
Plastic Jar	Water Rinse	Drum	Process Stream	Collection (Ending) Date		
Metal	Acid Rinse	Test Well	Holding Pond	Yr Mo Day		
POA Vial	Solvent Rinse:	Depth:	Drum	Yr Mo Day		
Cubitainer	Acetone	Other:	Waste Pile	Ending Time (24 Hr)		
Acetate Core	Hexane		Municipal Treatment			
Paper Cap	Methylene Chloride	Storage Tank	Influent	11/1/15191		
Tellon Cap	Other (Specify):	Тор	Effluent-Cl			
Foil Cap	577 Presidences	Middle	Effluent-Non Cl	Beginning Date		
Other	1	Bottom	Sludge	Yr Mo Day		
	Spanne	Truck	Ambient			
Preservation		Drum	Lake			
Acid		Tank	Stream	Beginning Time (24 Hr)		
Solvent	· ·	Other	. Pond			
Chemical			Ocean			
Wet Ice		Wells	Estuary	pH		
Dry Ice		Monitoring				
Ambient		Production				
Other		Drinking				
 		Private		Sample Temp. (°C)		
Sample Location De	scription:		the second secon	7		
A		•				
Dr. Gr	7 A W			DO (mg/l)		
•	4, 4					
				Cond. (uMHOS/CM)		
		•				
 		the state of		Salinity(% <sub>e</sub> )		
 Remarks:	Wriz-					
• / (-	7 · · · ·					
The state of	Mary far tor	- TC-P,	Yeur I	Sample Split		
				☐ Yes ☐ No		
	•			If Yes With Whom?		
				Receipt  Yes  No		
		•		Receipt   Yes   No		

Project Name	bica falver	Samples to:						
Collectories Wint	Call Gland At	Bact Bio Chem Other						
SAMPLING METHOD	) (Circle)	LDMS CODE		Station No.				
Kemmerer Dr	edge Ponar Manual	DATA BASE CO						
Niskin Net	Seine Trawl Bucket							
Trowel Crean	n Dipper	Sample Depth (Ft.)/Fac. Loc. Code						
Automatic	J. C. mals							
Other	41.02 See23							
A 10070 170 TVDE (	Circle) Aqueous Se	Lab Number						
SUBSTRATE TYPE (	Circle) Aqueous Se							
	Solvent Ext	090113						
BOD — Seed Suppl	ied 🗆 Yes 🗆 No	Type of Sample						
	Preparation (Circle)	Source: Sample S	ource Type (Circle)	Grab Composite				
Container	Cleaning Procedure	Landfill	Industrial	Time Space				
Glass Jar	Detergent Wash	Leachate	Effluent					
Plastic Jar	Water Rinse	Drum	Process Stream	Collection (Ending) Date				
Metal	Acid Rinse	Test Well	Holding Pond					
POA Vial	Solvent Rinse:	Depth:	Drum	Yr Mo Day				
Cubitainer	Acetone	Other:	Waste Pile					
Acetate Core	Hexane		Municipal Treatment	Ending Time (24 Hr)				
Paper Cap	Methylene Chloride	Storage Tank	Influent	11/////////////////////////////////////				
Teilon Cap	Other (Specify):	Top (	Effluent-Cl					
Foil Cap	Son marildon	Middle	Effluent-Non Cl	Beginning Date				
Other	EST Presidentes		Sludge	Yr Mo Day				
	ライスラングルコーム	Truck	Ambient					
Preservation	y (M 33 2 2 A 3 A 2	Drum	Lake					
Acid	-	Tank	Stream	Beginning Time (24 Hr)				
Solvent	-	Other	Pond					
Chemical	-		Ocean					
Wet-Ice		Wells	Estuary	pH				
Dry Ice		Monitoring Production						
Ambient		Drinking						
Other	-	Private		Sample Temp. (°C)				
0	-	Finale		1 1 1 1 1				
Sample Location D	escription:							
ح ∧	サルンとア			DO (mg/l)				
<b>.</b>	,							
			•	Cond. (uMHOS/CM)				
		•						
				Salinity(% <sub>a</sub> )				
Remarks:		· · · · · · · · · · · · · · · · · · ·		7 <u> </u>				
Maria A	lysis.							
- 10.0		_	NA SE S	Pomolo Onlik				
	Juliass Janton	- TCLP	METAIR	Sample Split				
1 2-4-				□ Yes   □ No				
				If Yes With Whom?				
	•		•					
				Receipt 🗆 Yes 🖸 No				

	Project Name McKon Galvan 200				. Samples to:			
	Collector(s) AACIC	-reliaina A	ffillation - Ld	SEPH	Bact	Bio Chem	Other	
		•	1	and the second s	1			
	SAMPLING METHO	O (Circle)	LDMS CODE .	4	Station No.			
	Kemmerer Dr	edge Ponar Manual		ODE E		1 1 1 1 1 1		
	Niskin Net	Seine Trawl Bucket	DATA BASE C				.	
	Trowel Crean		STA. TYPE CO	DE	Samula Bas	oth (Ft.)/Fac. Loc	Cada	
	Automatic	1,0 Scop			Sample Det	om (Ft.)/Fac. Loc	. Code	
	Other	7133000		•	11 1 1			
	ALIBORA TER TABLE //	Oi1-> • • • • • • • • • • • • • • • • • • •	- 11 - 12 - 15 - 15 - 15 - 15 - 15 - 15		7			
	SUBSTRATE TYPE (	Circle) Aqueous S	ediment SNdg	e) Oil Biological	Lab Numbe	r		
		Solvent Ext	tract Other (	· )	l no	30114		
	BOD 0 40 41				4 L	70		
	BOD — Seed Suppli		Source:	7000	Type of Sar			
	Container	Preparation (Circle) Cleaning Procedure	Landfill	ource Type (Circle)	Grab	Composite	1	
	Glass Jar	Detergent Wash	Leachate	Industrial Effluent	$+$ 1 $\times$	Time Space		
	Plastic Jar	Water Rinse	Drum	Process Stream	<del>                                   </del>	<del></del>	J	
	Metal	Acid Rinse	Test Well	Holding Pond	1	(Ending) Date		
	POA Vial	Solvent Rinse:	Depth:	Drum	Yr >-	Mo. Day		
	Cubitainer	Acetone	Other:	. Waste Pile				
	Acetate Core	Hexane		Municipal Treatment	Ending Tim	ie (24 Hr)		
	Paper Cap	Methylene Chloride	Storage Tank	Influent	1	3		
	Teilon Cap	Other (Specify):	Тор	Effluent-Cl		<u>.  </u>		
	Foil Cap	<b>5.</b>	Middle	Effluent-Non Cl	Beginning	Date		
	Other	The Production	Bottom	Sludge	Yr	Mo Day		
		يروس زوم الر	Truck	Ambient				
	Preservation		Drum	Lake				
	Acid		Tank	Stream	Beginning '	Time (24 Hr)		
	Solvent		Other	Pond				
	Chemical		de acres on the -2 to one observe a state of	Ocean				
	-Wet Ice	l'	Wells	Estuary	рH			
	Dry Ice		Monitoring					
	Ambient	,	Production					
	Other		Drinking		Sample Ter	mn (°C)		
<u> </u>			Private			<del></del>		
,	Sample Location De	escription:		•				
	Λ	145- Sludge			DÓ (mg/l)			
	Dist	1	•		1 1 1		. *	
					Cond. (uMI	JUSIUM/		
				* 4	Cond. (givin	TOS/CM)		
			T .					
	•				Calland 194	<del></del>		
	Remarks: 1	A CONTRACTOR OF THE CONTRACTOR		The second secon	Salinity(%	<u>)</u>		
	HAAR	1815		•				
	i i i i i i i i i i i i i i i i i i i	2 plass jer	£ +	D 11 4-1-		<u></u>		
	1 7 2	2.0/258 191	top / UL	1 14 12 12 1	Sample Spi	lit .		
					☐ Yes	B □ No		
	7		. •		Į.			
	•				If Yes With	Whom?		
:				•	Receipt	☐ Yes ☐ Î	No	
					<u>}</u>			

Project Name^	KARAA Galvan	Samples to:			
Collector(s) Alic	rea blyon A	Bact Bio Chem Other			
SAMPLING METHO	D (Circle)	LDMS CODE		Station No.	
Kemmerer D	redge Ponar Manual	DATA BASE C	ODE =		
Niskin Net	Seine Trawl Bucket				
Trowel Creat	m Dipper	Sample Depth (Ft.)/Fac. Loc. Code			
Automatic Other Pin	die Scoop				
<del></del>	*	-			
SUBSTRATE TYPE	(Circle) Aqueous S	Lab Number			
		ract Other ( 5	emsiuz )	090115	
BOD - Seed Suppl		Type of Sample			
	Preparation (Circle)	Source Type (Circle)	Grab Composite		
Container	Cleaning Procedure	Landfill	Industrial	Time Space	
Glass Jar	Detergent Wash	Leachate	Effluent		
Plastic Jar	Water Rinse	Drum Took Well	Process Stream	Collection (Ending) Date	
Metal	Acid Rinse Solvent Rinse:	Test Well Depth:	Holding Pond Drum	Yr Mo Day	
POA Vial Cubitainer	Acetone	Other:	Waste Pile		
Acetate Core	Hexane	Other.	_ Municipal Treatment	Ending Time (24 Hr)	
Paper Cap	Methylene Chloride	Storage Tank	Influent		
Teflon Cap	Other (Specify):	Top	Effluent-Cl		
Foil Cap		Middle	Effluent-Non Cl	Beginning Date	
Other	Eng Problem	Bottom	Sludge	Yr Mo Day	
	5 insuare	Truck	Ambient		
Preservation		Drum	Lake		
Acid		Tank	Stream	Beginning Time (24 Hr)	
Solvent	_[	Other	_ Pond		
Chemical	_	*** *** ***	Ocean		
Wet Ice-		Wells	Estuary	рН	
Dry Ice		Monitoring			
Ambient		Production		1 2 5	
Other	-	Drinking		Sample Temp. (°C)	
	-	Private		Sample reinp. ( C)	
Sample Location D	escription:		•		
<b>.</b> .		· (		DO (mg/i)	
<u>Dr</u> i	um #5-210	ಪ್ರಾಥ್		DO (mg/r)	
<del>,</del>					
				Cond (MUCO)	
				Cond. (uMHOS/CM)	
• •					
		•			
Barranta		<u> </u>		Salinity(% <sub>0</sub> )	
Remarks: Ano	yris:		•		
	m. plass jar	ی. جرمسم ت ∫ مشر <sub>ک</sub> رد	- 1. J. A.	Sample Split	
7 4-0			122.121.1A	☐ Yes	
* .	,			If Yes With Whom?	
			÷.		
			·	Receipt    Yes    No	

Project Name Nelsan Gal Va	Samples to:			
Collector(s) Morrall Clans		S IFPU	Bact Bio Chem Other	
SAMPLING METHOD (Circle)	LDMS CODE		Station No.	
Kemmerer Dredge Ponar Manual	1 [			
Niskin Net Seine Trawl Bucke	DATA BASE	CODE		
Trowel Cream Dipper	STA. TYPE C	ODE		
Automatic Diagram	Sample Depth (Ft.)/Fac. Loc. Code			
Automatic F/95+ C Sepas				
SUBSTRATE TYPE (Circle) Aqueous	Lab Number			
Solvent	090116			
	030110			
BOD — Seed Supplied	the series of the series of the series		Type of Sample	
Sample Preparation (Circle)		Source Type (Circle)	Grab Composite	
Container Cleaning Procedure	Landfill	Industrial	Time Space	
Glass Jar Detergent Wash	Leachate	Effluent		
Plastic Jar Water Rinse	Drum	Process Stream	Collection (Ending) Date	
Metal Acid Rinse	Test Well	Holding Pond	Yr Mo Day	
POA Vial Solvent Rinse:	Depth:	Duite -	시 가게 하기 되었다.	
Cubitainer Acetone	Other:	_ Waste Pile	Ending Time (24 Hr)	
Acetate Core Hexane	كبيدة محميل	_ Municipal Treatment	Ending (time (\$4 Lit)	
Paper Cap Methylene Chloride	Storage Tank	Influent	71171215191	
Teflon Cap Other (Specify):	Тор	Effluent-Cl		
Foil Cap Other	Middle	Effluent-Non Cl	Beginning Date	
Other	Bottom	Sludge	Yr Mo Day	
- Glassy att	Truck	Ambient		
Preservation	Drum	Lake		
Acid	Tank	Stream	Beginning Time (24 Hr)	
Solvent	Other	Pond		
Chemical		_ Ocean		
-Wet_Ice	Wells	Estuary	PH	
Dry Ice	Monitoring			
Ambient	Production			
Other	Drinking	,		
	Private		Sample Temp. (°C)	
Sample Location Description:			7	
a			<del></del>	
Brum. 76			DO (mg/l)	
<del></del>				
			Cond. (uMHOS/CM)	
	•			
			Salinity(% <sub>e</sub> )	
Remarks:				
Finally S	· ·	_		
Memarks: Analys. 5-	tor TCL	Mathix	Comple Calls	
	• •	· · · · · · · · · · · · · · · · · · ·	Sample Split	
		•	☐ Yes ☐ No	
•	•		If you wish tark and	
		•.	If Yes With Whom?	
		3	Receipt □ Yes □ No	

	Project Name Nelson Salvania inc				Samples to:
	Collector(s)	rell Slano A	Bact Bio Chem Other		
	SAMPLING METHO		LDMS CODE .		Station No.
Kemmerer Dredge Ponar Manual			ı	Appen .	
	Niskin Net	Seine Trawl Bucket	DATA BASE C	and the second s	
	Trowel Crean	n Dipper	STA. TYPE CO	DE	Sample Depth (5) Visco Lea Code
	Automatic - Other	r r. a. timumus			Sample Depth (Ft.)/Fac. Loc. Code
	Other	1137353			
	SUBSTRATE TYPE (	Circle) Aqueous S			
	CONSTRAIL TIFE	Circle) Aqueous S	Lab Number		
		Solvent Ext	090117		
	BOD — Seed Suppli	ed 🗆 Yes 🗀 No	030111		
		Preparation (Circle)	Source:	ource Type (Circle)	Type of Sample
	Container	Cleaning Procedure	Landfill	Industrial	Grab Composite
	Glass Jar	Detergent Wash	Leachate	Effluent	Time Space
	Plastic Jar	Water Rinse	Drum	Process Stream	
	Metal	Acid Rinse	Test Well	Holding Pond	Collection (Ending) Date
	POA Vial	Solvent Rinse:	Depth:	Drum	Yr Mo Day
	Cubitainer	Acetone	Other:	Waste Pile	[13]3[7]3[3]
	Acetate Core	Hexane		Municipal Treatment	Ending Time (24 Hr)
	Paper Cap	Methylene Chloride	Storage Tank	Influent	
	Tetion Cap	Other (Specify):	Тор	Effluent-Cl	
	Foil Cap	500 Jan	Middle	Effluent-Non Cl	Beginning Date
	Other	Egg Prechedand	Bottom	Sludge	Yr Mo Day
•		SAMUAR	Truck	Ambient	
	Preservation		Drum	Lake	
	Acid		Tank	Stream	Beginning Time (24 Hr)
	Solvent		Other	Pond	
	Chemical			Ocean	
	-Wet Ice		Wells	Estuary	рН
	Dry Ice Ambient		Monitoring		
	Other		Production		
			Drinking		Sample Temp. (°C)
	Sample Location De		Private		
				ي بسين	
	7:00	Ammonium	Calor, de	Jank - Liams	DO (mg/l)
	,				
					Cond. (uMHOS/CM)
				•	Cong. (dwinos/cm)
			•		
					Pallata (0)
	Remarks:	•			Salinity(% <sub>e</sub> )
	Remarks: Analy	S : -			
	•	4		· <b>1</b>	
	14-02	Heir jar be	ال الاقتام في	\$ 3 <b>℃</b>	Sample Split
	<del>*</del>	√ * å		·	☐ Yes ☑ No
		•		•	If Yes With Whom?
					Receipt □ Yes □ No

Project Name	Veison Gal lan	Common L		Samples to:
Collector(s)	- LI Glynn Al	fillation 📜 💯	o EPA	Bact Bio Chem Other
Niskin Net Trowel Crea	redge Ponar Manual Seine Trawl Bucket m Dipper  L Clark  (Circle) Aqueous Se	DATA BASE COSTA. TYPE CO	ODE	Station No.  Sample Depth (Ft.)/Fac. Loc. Code  Lab Number  090118
BOD — Seed Supp	lied	Source: Sample S	ource Type (Circle)	Type of Sample Grab Composite
Container Glass Jar	Cleaning Procedure Detergent Wash	Landfill Leachate	Industrial Effluent	Time Space
Plastic Jar Metal POA Vial	Water Rinse Acid Rinse Solvent Rinse:	Drum Test Well Depth:	Process Stream Holding Pond Drum	Collection (Ending) Date  Yr Mo Day
Cubitainer Acetate Core Paper Cap	Acetone Hexane Methylene Chloride	Other:Storage Tank	Waste Pile Municipal Treatment Influent	Ending Time (24 Hr)
Teflon Cap	Other (Specify):  Sign Proclement	Top Middle Bottom Truck	Effluent-Cl Effluent-Non Cl Sludge Ambient	Beginning Date Yr Mo Day
Preservation Acid Solvent		Drum Tank Other	Lake Stream Pond	Beginning Time (24 Hr)
Chemical Wet ice Dry ice Ambient	_	Wells Monitoring Production Drinking	Ocean Estuary	pH The state of th
Sample Location	 Description:	Private		Sample Temp. (°C)
Zino	, Annohum.	Chioridee.	m (ank-)luiqu	Cond. (uMHOS/CM) Salinity(%e)
Remarks:	alysis:	- 7:28	Mutals	Sample Split
				If Yes With Whom? Receipt □ Yes □ No

Project Name	Leison Enluani	Samples to:			
Collector(e)	rell Glynn Al	Bact Bio Chem Other			
Collector(s)		1		1 1 2 1	
	edge Ponar Manual	LDMS CODE _		Station No.	
Niskin Net	Seine Trawl Bucket	DE			
Trowel Crean		Sample Depth (Ft.)/Fac. Loc. Code			
Automatic Other	LAZACA .				
Other	£14,79.334.			<u> </u>	
SUBSTRATE TYPE (	-y,	ediment Sludge		Lab Number	
	Solvent Ext	ract Other (	amasik-Addi	090119	
BOD - Seed Suppli	ied 🗆 Yes 🗆 No	Source:		Type of Sample	
	Preparation (Circle)		ource Type (Circle)	Grab Composite	
Container	Cleaning Procedure	Landfill	Industrial	Time Space	
Glass Jar	Detergent Wash	Leachate	Effluent		
Plastic Jar	Water Rinse	Drum	Process Stream	Collection (Ending) Date	
Metal	Acid Rinse	Test Well	Holding Pond		
POA Vial	Solvent Rinse:	Depth:	Drum	Yr Mo Day	
*	Acetone	Other:	Waste Pile		
Cubitainer	Hexane	VIIIei.	Municipal Treatment	Ending Time (24 Hr)	
Acetate Core	1	Storage Tank	Influent	10030	
Paper Cap	Methylene Chloride	Top	Effluent-Cl		
Teflon Cap	Other (Specify):	Middle	Effluent-Non Cl	Beginning Date	
Foil Cap	F 17 Parisan 23	Bottom		Yr Mo Day	
Other		Truck	Sludge Ambient		
	SUSSIANCE.		<b>⊣</b>		
Preservation	1	Drum	Lake	Boning Time (04 Ma)	
Acid	· ·	Tank	Stream	Beginning Time (24 Hr)	
Solvent	-	Other	Pond		
Chemical	-		Ocean	L	
Wet.lce		Wells	Estuary	pH	
Dry Ice		Monitoring			
Ambient	Ì	Production		12181	
Other		Drinking		Sample Temp. (°C)	
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4	•			Cond. (uMHOS/CM)	
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Remarks:					
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	•		`	Receipt 🗆 Yes 🗆 No	
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Project Name	12 land indivano	Samples to:		
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Collector(s)				<u> </u>
Niskin Net Trowel Crear Automatic	redge Ponar Manual Seine Träwl Bucket m Dipper	DATA BASE COSTA. TYPE CO	ODE E	Station No.  Sample Depth (Ft.)/Fac. Loc. Code
Other	d + Cland			
SUBSTRATE TYPE ( BOD — Seed Supple Sample	Solvent Ext lied D Yes D No Preparation (Circle)		) Source Type (Circle)	Lab Number  OGO120  Type of Sample Grab Composite
Container	Cleaning Procedure	Landfill	Industrial	Time   Space
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	10.2000000	Drum	Lake	
Preservation	=	Tank	Stream	Beginning Time (24 Hr)
Acid	-	Other	Pond	beginning time (24 th)
Solvent	-	Other	Ocean	
Chemical	-	Wells	Estuary	
Dry Ice		Monitoring	-	pH
Ambient		Production		
Other		Drinking		
	_	Private		Sample Temp. (°C)
Sample Location I	Description:	<del></del>		
	ric Acid Tar	- 11.3	<u>م</u> د	DO (mg/l)  Cond. (uMHOS/CM)  Salinity(% <sub>0</sub> )
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Project Name Nels-a Graidan - DA					Samples to:			
Collector(s)	- DI DIMA AI	filiation	= PA	Bact Bio	Chem	Other		
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BOD — Seed Suppli	ed 🗆 Yes 🗆 No	Source:		Type of Sample	•			
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Container	Cleaning Procedure	Landfill	Industrial	_ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \	ne Space	1		
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Acetate Core	Hexane		Municipal Treatment	_ <del> </del>				
Paper Cap	Methylene Chloride	Storage Tank	Influent	1 2 2				
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Foil Cap	ESS Participant	Middle	Effluent-Non Cl	Beginning Date		1		
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Preservation	] •	Drum	Lake					
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Other	<b>-  </b>	Drinking		Sample Temp.	(OC)			
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REGION 2 290 BROADWAY NEW YORK, NY 10007-1866

## SEP 2 4 1998 CERTIFIED MAIL RETURN RECEIPT REQUESTED

Mr. John Sweeney, President Nelson Galvanizing, Inc. 11-02 Broadway Long Island City, N.Y. 11106

RE: RCRA § 3007 Information Request

Nelson Galvanizing, Inc.

NYD001229350

Dear Mr. Sweeney:

The U.S. Environmental Protection Agency (EPA) is charged with the protection of health and the environment under the Resource Conservation and Recovery Act (RCRA), 42 U.S.C. Part 6901 et seq.

Pursuant to the provisions of Section 3007 of RCRA, 42 U.S.C. Section 6927, EPA hereby requires that you provide the information requested in Attachment I to this letter using the instructions and definitions included in Attachment II. This information is required to evaluate the compliance of Nelson Galvanizing, Inc.

Please provide the information requested no later than thirty (30) calendar days from receipt of this letter. Requests for additional time must be made within ten (10) calendar days of receipt of this letter, and must be justified. The response must be signed by a responsible official or agent of your company.

The response to the request in the attachment must be addressed to the following:

Philip Clappin, Enforcement Officer RCRA Compliance Branch U.S. Environmental Protection Agency - Region 2 290 Broadway 22nd Floor New York, New York 10007-1866 You may, if you so desire, assert a business confidentiality claim covering all or part of the information herein requested. The claim may be asserted by placing on (or attaching to) the information at the time it is submitted, a cover sheet, stamped or typed legend, or other suitable form of notice employing language such as "trade secret", "proprietary", or "company confidential". The claim should set forth the information requested in 40 Code of Federal Regulations (40 C.F.R.) Part 2.204(e)(4). Information covered by such a claim will be disclosed by EPA only to the extent permitted by, and by means of procedures set forth in, 40 C.F.R. Part 2.204 claim accompanies the information when it is received by EPA, it may be made available to the public by EPA without further notice to you.

This information request is not subject to the requirements of the Paperwork Reduction Act (PRA), as amended, 44 U.S.C. Part 3501 et seq.

Failure to respond in full to this requirement is a violation of RCRA and may result in federal enforcement action pursuant to Section 3008 of RCRA, 42 U.S.C. Section 6928.

If you have any questions about this letter, please call Mr. Philip Clappin, of the Senior Enforcement Team, at (212) 637-4129. All inquiries from attorneys must be directed to Mr. William K. Sawyer, Esq., of the Office of Regional Counsel, at (212) 637-3196.

Sincerely yours,

Knuth & Stillie

Walter Mugdan, Esq., Acting Director Division of Enforcement and Compliance Assistance (DECA)

cc:

Salvatore Carlomagno, Supervisor Hazardous Waste Compliance Unit New York State Department of Environmental Conservation

Attachments

Philip Clappin, RCB
Philip Flax, RCB
William K. Sawyer, ORC
Paul Kahn, ERRD
RCRA files bcc:

#### ATTACHMENT I

## NELSON GALVANIZING, INC. 11-02 BROADWAY LONG ISLAND CITY, N.Y., 11106

A RCRA Compliance Evaluation Inspection (CEI) of Nelson Galvanizing, Inc. hazardous waste generation, storage areas, and record keeping, was performed on June 3, 1998 by two EPA authorized representatives. A subsequent sampling visit by RCRA Compliance Branch (RCB) and Monitoring and Assessment Branch (MAB) was conducted on July 23, 1998. As a follow up of the inspection and sampling visit, the following information is requested:

- 1. At the time of the inspection and sampling visit, EPA representatives observed, present at your facility, approximately sixty (60) fifty-five gallon drums of what you indicated was iron sulfate. You indicated that this iron sulfate was a waste. Please send to EPA information on the process that generated the iron sulfate waste. Please indicate and document how long you have stored the iron sulfate at your facility.
- 2. At the time of the inspection and sampling visit, EPA representatives observed, present at your facility, three (3) tanks labeled and/or indicated by you as containing the following materials: sulfuric acid, sodium hydroxide, and zinc ammonium chloride. Please explain the process in which these chemicals were used. Please explain how these chemicals are presently used. Please explain and document the last time you used these chemicals. Please explain and document the last time you used these chemicals as they were intended to be used, as part of a commercial galvanizing process.
- 3. Have you made hazardous waste determinations on the iron sulfate wastes? Have you made hazardous waste determinations for the other chemicals currently being stored at your facility. Please submit any and all information, including but not limited to sampling procedures, sampling dates, dates of analyses, that were used to make those determinations. Please specify when you made the determinations.
- 4. Why are you storing or continuing to store iron sulfate wastes and the chemicals in the sodium hydroxide, sulfuric acid, and zinc ammonium chloride tanks? How long have you stored the iron sulfate wastes and the other chemicals that are currently present in drums and tanks at your facility?
- Please specify the date that these materials, including the sulfuric acid, sodium hydroxide, and zinc ammonium chloride were last used. Please indicate how they were used and for what purpose they were used. Were they used commercially? When was the last time the chemicals in the tanks were used commercially? Do you have any intention of commercially using the chemicals stored in tanks at your facility?
- 6. It is EPA's understanding that Nelson Galvanizing has not recently been commercially active. Please specify the last time commercial activity and/or any galvanizing took place at the facility. Please document the activity and date.

- 7. What is Nelson Galvanizing's current economic status? Does your corporation, Nelson Galvanizing, remain intact? Do you intend to reopen the facility at any time? If so when do you plan to reopen? What type of business is currently operating at the Nelson Galvanizing facility?
- 8. At the time of the June 3, 1998 inspection you indicated that the sulfuric acid had been drained from an on-site above ground tank and sold, along with the tank, to your competitor. Please document and provide the date of this purchase. Was iron sulfate generated at this time? If yes, how much, how was it managed, and where was it managed? Please be specific and detailed and document where possible.

### **ATTACHMENT II**

# INSTRUCTIONS AND DEFINITIONS

In responding to this Request for Information, apply the following instructions and definitions:

- 1. The signatory should be an officer or agent who is authorized to respond on behalf of the company or facility. The signatory must complete and return the attached Certification of Answers to Responses to Request for Information.
- 2. A complete response must be made to each individual question in this request for information. Identify each answer with the number of the question to which it is addressed.
- 3. In preparing your response to each question, consult with all present and former employees and agents of the company or facility who you have reason to believe may be familiar with the matter to which the question pertains.
- 4. In answering each question, identify all contributing sources of information.
- 5. If you are unable to answer a question in a detailed and complete manner or if you are unable to provide any of the information or documents requested, indicate the reason for your inability to do so. If you have reason to believe that there is an individual who may be able to provide more detail or documentation in response to any question, state that person's name and last known address and phone number and the reasons for your belief.
- 6. If you cannot provide a precise answer to any question, please approximate and state the reason for your inability to be specific.
- 7. For each document produced in response to this Request for Information, indicate on the document or in some other reasonable manner, the number of the question to which it applies.
- 8. If anything is deleted from a document produced in response to this Request for Information, state the reason for and the subject matter of the deletion.
- 9. If a document is requested but is not available, state the reason for its unavailability. In addition, identify any such document by author, date, subject matter, number of pages, and all recipients and their addresses.
- 10. The company and/or facility for the purposes of this Request for Information is Nelson Galvanizing, Inc., 11-02 Broadway N.Y. 11106.

- 11. A generator of hazardous waste for the purposes of this Request for Information shall be defined as any person, by site, whose act or process produces hazardous waste or whose act first causes a hazardous waste to become subject to regulation.
- 12. Solid waste shall be defined for the purposes of this Request for Information as that term is defined in Section 1004(27) of RCRA, as amended, 42 U.S.C. Part 6903(27).
- 13. <u>Hazardous waste</u> shall be defined for the purposes of this Request for Information as that term is defined in Section 1004(5) of RCRA, as amended, 42 U.S.C. Part 6903(5).
- 14. <u>Manage</u> shall be defined for the purposes of this Request for Information as to market, generate, treat, store, dispose or otherwise handle.

## CERTIFICATION OF ANSWERS TO REQUEST FOR INFORMATION

I certify under penalty of law that I have personally examined and am familiar with the	
(response to EPA Request for Information) and all documents submitted herewith, that the submitted information is true, accurate and complete, and that all documents submitted hereware complete and authentic, unless otherwise indicated. I am aware that there are significant penalties for submitting false information.	vith

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#### UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 2 290 BROADWAY NEW YORK, NY 10007-1866

DEC 3 0 1998

## CERTIFIED MAIL RETURN RECEIPT REQUESTED

Mr. John Sweeney, President <sup>3</sup> Nelson Galvanizing, Inc. 11-02 Broadway Long Island City, N.Y. 11106

RE: RCRA § 3007 Information Request Nelson Galvanizing, Inc. NYD001229350

Dear Mr. Sweeney:

The U.S. Environmental Protection Agency (EPA) is charged with the protection of health and the environment under the Resource Conservation and Recovery Act (RCRA), 42 U.S.C. Part 6901 et seq.

Pursuant to the provisions of Section 3007 of RCRA, 42 U.S.C. Section 6927, EPA hereby requires that you provide the information requested in Attachment I to this letter using the instructions and definitions included in Attachment II. This information is further required to evaluate the compliance of Nelson Galvanizing, Inc. Attachment III, the September 24, 1998 Information Request Letter, and Attachment IV, the Consent Agreement Consent Order (CACO) signed into effect on October 26, 1994 are also enclosed.

Please provide the information requested no later than thirty (30) calendar days from receipt of this letter. Requests for additional time must be made within ten (10) calendar days of receipt of this letter, and must be justified. The response must be signed by a responsible official or agent of your company.

You may, if you so desire, assert a business confidentiality claim covering all or part of the information herein requested. The claim may be asserted by placing on (or attaching to) the information at the time it is submitted, a cover sheet, stamped or typed legend, or other suitable form of notice employing language such as "trade secret", "proprietary", or "company confidential". The claim should set forth the information requested in 40 Code of Federal Regulations (40 C.F.R.) Part 2.204(e)(4). Information covered by such a claim will be disclosed by EPA only to the extent permitted by, and by means of procedures set forth in, 40 C.F.R. Part 2. If no such claim accompanies the information when it is received by EPA, it may be made available to the public by EPA without further notice to you.

This information request is not subject to the requirements of the Paperwork Reduction Act (PRA), as amended, 44 U.S.C. Part 3501 et seq.

The response to the request in the attachment must be addressed to the following:

Philip Clappin, Enforcement Officer RCRA Compliance Branch U.S. Environmental Protection Agency - Region 2 290 Broadway 22nd Floor New York, New York 10007-1866

Failure to respond in full to this requirement is a violation of RCRA and may result in federal enforcement action pursuant to Section 3008 of RCRA, 42 U.S.C. Section 6928.

If you have any questions about this letter, please call Mr. Philip Clappin, of the RCRA Senior Enforcement Team, at (212) 637-4129.

Sincerely yours,

George Pavlou, Acting Director

Division of Enforcement and Compliance Assistance (DECA)

cc: Salvatore Carlomagno, Chief

Hazardous Waste Compliane Ce Unit

New York State Department of Environmental Conservation

**Enclosures** 

#### **ATTACHMENT I**

#### NELSON GALVANIZING, INC. 11-02 BROADWAY LONG ISLAND CITY, N.Y., 11106

A RCRA Compliance Evaluation Inspection (CEI) of Nelson Galvanizing, Inc. hazardous waste generation, storage areas, and record keeping, was performed on June 3, 1998 by two EPA authorized representatives. A subsequent sampling visit by members of the RCRA Compliance Branch (RCB) and Monitoring and Assessment Branch (MAB) was conducted on July 23, 1998.

On September 24, 1998, EPA sent a RCRA § 3007 Information Request Letter to you (Attachment III). This letter requested that you submit further information in order to assess your facility's compliance with the hazardous waste rules and regulations as well as the requirements of the CACO signed into effect October 26, 1994 (Attachment IV). Your response to the information request was due to EPA on October 28, 1998, 30 days after you received that letter. To date EPA has not received your response and, as a result, you are and continue to remain in violation of RCRA § 3007 as long as this situation is left unchanged.

In addition to the responses to the questions posed in the September 24, 1998 RCRA § 3007 Information Request Letter that have been, are, and continue to be overdue, EPA requests the following information:

- 1. A dated copy of "the notice you agreed to place in the deed to the property on which the facility resides, using procedures set forth in 40 C.F.R. § 265.119, indicating that the land has been used to manage hazardous waste and that contamination may remain" (CABO; page 6, paragraph 2).
- 2. A dated copy of the signed certification indicating that the deed notice has been recorded as specified in 40 C.F.R. § 265.119(b)(1). A copy of this certification should have been sent to the Regional Administrator (RA). EPA has no record of such a document. Please, send a dated copy of this certification document which is required as part of the procedures set forth in 40 C.F.R. § 265.119 which you agreed to follow as part of the CAPO (page 6, paragraph 2).

#### **ATTACHMENT II**

#### **INSTRUCTIONS AND DEFINITIONS**

In responding to this Request for Information, apply the following instructions and definitions:

- 1. The signatory should be an officer or agent who is authorized to respond on behalf of the company or facility. The signatory must complete and return the attached Certification of Answers to Responses to Request for Information.
- 2. A complete response must be made to each individual question in this request for information. Identify each answer with the number of the question to which it is addressed.
- 3. In preparing your response to each question, consult with all present and former employees and agents of the company or facility who you have reason to believe may be familiar with the matter to which the question pertains.
- 4. In answering each question, identify all contributing sources of information.
- 5. If you are unable to answer a question in a detailed and complete manner or if you are unable to provide any of the information or documents requested, indicate the reason for your inability to do so. If you have reason to believe that there is an individual who may be able to provide more detail or documentation in response to any question, state that person's name and last known address and phone number and the reasons for your belief.
- 6. If you cannot provide a precise answer to any question, please approximate and state the reason for your inability to be specific.
- 7. For each document produced in response to this Request for Information, indicate on the document or in some other reasonable manner, the number of the question to which it applies.
- 8. If anything is deleted from a document produced in response to this Request for Information, state the reason for and the subject matter of the deletion.
- 9. If a document is requested but is not available, state the reason for its unavailability. In addition, identify any such document by author, date, subject matter, number of pages, and all recipients and their addresses.
- 10. The company and/or facility for the purposes of this Request for Information is Nelson Galvanizing, Inc., 11-02 Broadway, Long Island City, N.Y. 11106.

- 11. A generator of hazardous waste for the purposes of this Request for Information shall be defined as any person, by site, whose act or process produces hazardous waste or whose act first causes a hazardous waste to become subject to regulation.
- 12. Solid waste shall be defined for the purposes of this Request for Information as that term is defined in Section 1004(27) of RCRA, as amended, 42 U.S.C. Part 6903(27).
- 13. <u>Hazardous waste</u> shall be defined for the purposes of this Request for Information as that term is defined in Section 1004(5) of RCRA, as amended, 42 U.S.C. Part 6903(5).
- 14. <u>Manage</u> shall be defined for the purposes of this Request for Information as to market, generate, treat, store, dispose or otherwise handle.

## CERTIFICATION OF ANSWERS TO REQUEST FOR INFORMATION

I certify under penalty of law that I have personally examined and am faniliar with the information submitted in this document (response to EPA Request for Iformation) and all documents submitted herewith, that the submitted information is true, acurate and complete, and that all documents submitted herewith are complete and authentic, unles otherwise indicated. I that all documents submitted herewith are complete and authentic, unles otherwise indicated. I am aware that there are significant penalties for submitting false information.

NAME (print or type)	
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TITLE (print or type)	
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SIGNATURE	

# NATIONAL PROTECTION

#### UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 2 290 BROADWAY NEW YORK, NY 10007-1866

DEC 28 1938

## CERTIFIED MAIL RETURN RECEIPT REQUESTED

**NOTICE OF VIOLATION** 

Mr. John Sweeney, President Nelson Galvanizing, Inc. 11-02 Broadway Long Island City, New York 11106

Re:

Notice of Violation Nelson Galvanizing, Inc. EPA I.D. No. NYD001229350

Dear Mr. Sweeney:

This Notice of Violation ("NOV") is issued pursuant to Section 3008 of the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act ("RCRA") of 1976 and the Hazardous and Solid Waste Amendments ("HSWA") of 1984 42 U.S.C. § § 6901, 6928.

Section 3006 of the Act, 42 U.S.C. § 6926 provides that the Administrator of the U.S. Environmental Protection Agency ("EPA") may, if certain criteria are met, authorize a State to operate a hazardous waste program in lieu of the Federal program. The State of New York has received final authorization to administer its hazardous waste program in lieu of most of the Federal program. Section 3008 of the Act, 42 U.S.C. § 6928 authorizes EPA to enforce the provisions of the authorized State program.

Pursuant to RCRA, as amended by HSWA, the EPA promulgated rules, regulations, and standards governing the handling and management of hazardous waste as set forth in 40 C.F.R. Parts 260-272.

This second NOV serves to inform you of EPA's belief that: (1) you continue to be in violation of § 3007 of RCRA; and (2) you are in violation of the consent agreement/consent order (CA/CO) signed in October of 1994. This NOV also (1) presents you with analytical data from EPA's sampling that occurred on July 23, 1998 and EPA's determinations based upon those data; and (2) underscores the need for you to overpack and remove, as soon as possible, any hazardous waste being stored on-site.

For the purposes of this NOV and other correspondence between EPA and Nelson Galvanizing, Inc. the following terms are synonymous and are used interchangeably: (1) "sulphuric acid" is equivalent to "sulfuric acid" and vice versa; and (2) "caustic soda" is equivalent to "sodium hydroxide" and vice versa.

This second NOV formally serves to notify you, once again, that you remain in violation of RCRA § 3007 by failing to respond to the RCRA § 3007 Information Request letter sent via certified mail, dated September 24, 1998 (enclosed Attachment 1), which was delivered on September 28, 1998, to Mr. John Sweeney, President of Nelson Galvanizing, Inc. You were given thirty (30) days from the date of receipt of the RCRA § 3007 Information Request Letter to respond to the questions in that letter. You failed to do so and you did not seek an extension pursuant to the requisites outlined in that letter. On November 6, 1998 an earlier Notice of Violation (Attachment 2) was issued to you for failing to respond or not seeking an extension in time pursuant to the requirements set forth in the original RCRA § 3007 Information Request Letter, dated September 24, 1998.

You must take immediate action to remedy this violation. You must immediately submit a response with all the requested information specific to the operations of Nelson Galvanizing, Inc. No extension in the prior due date will be granted. In fact, the response is past due. Continued failure to comply with the NOVs and § 3007 Information Request increases the potential of Nelson Galvanizing, Inc. and/or Mr. John Sweeney to be subject to the enforcement provisions of Section 3008 of RCRA, 42 U.S.C. § 6928. Your compliance with the requirements of this NOV in no way waives or compromises EPA's right to take further enforcement against you for the above cited violation and other violations of the RCRA Statute and/or applicable regulations.

This letter also serves to inform you that the analyses of the waste and/or chemical samples that EPA took on July 23, 1998 have been received and reviewed. An enclosed copy (Attachment 3) presents you with the analytical results from the sampling of six (6) drums containing iron sulfate and the three (3) chemical tanks that contain (1) sulphuric acid, (2) sodium hydroxide, and (3) zinc ammonia chloride.

In addition, you have stated that the iron sulfate being stored on-site is a waste. EPA has determined this material to be a solid waste. The iron sulfate was deposited in the base of the sulphuric acid tank as a result of your company's galvanizing process. It was removed when you sold the liquid contents of and the polypropylene tank. Sampling and analytical data from the iron sulfate that is being stored in drums indicate that some of this material exceeds the toxicity characteristic for lead and is therefore "hazardous waste". The iron sulfate must be removed and disposed of appropriately and in accordance with the regulations immediately.

EPA has also determined that the liquid and sludge material in the three (3) tanks currently onsite are solid wastes. On July 23, 1998, EPA sampled the liquids and sludges from the sulphuric acid tank, the sodium hydroxide tank (no sludge), and the zinc ammonia chloride tank. Analytical data indicate that the liquid in the sulphuric acid tank exceeds the toxicity characteristic for chromium and approaches the characteristic level for corrosivity. Analytical data from the sodium hydroxide tank indicates that the liquid being stored in that tank exceeds the characteristic level for corrosivity. As a result, these materials are determined to be hazardous wastes and must be handled, removed and disposed of appropriately in accordance with the regulations immediately.

Furthermore, in accordance with the consent agreement and consent order (CA/CO) (enclosed as Attachment 4; especially paragraph 4; page 7) issued on October 26, 1994, you had to "(within) one year of the effective date of this agreement (CA/CO), either remove (properly) from the facility or apply for a permit to (appropriately) manage (all) such materials (including the iron sulfate, sulphuric acid, sodium hydroxide, and zinc ammonia chloride)". You accomplished neither removal of these materials nor received a permit to store these materials. Therefore, in accordance with paragraphs 4 and 5, page 7 of the CA/CO, you are also determined to be in violation of the CA/CO.

Please be advised that your facility is under the continuing obligation to comply with all the applicable state and federal regulations regarding the management of hazardous waste, as well as the CA/CO. Subsequently, if your facility should be found in violation of any of these regulations and/or CA/CO now and in the future, you may be subject to escalated enforcement actions, including, but not limited to, monetary penalties.

If you have any questions regarding this matter, please direct them to Mr. Philip Clappin at (212) 637-4129.

Sincerely yours,

George Pavlou, Acting Director

Division of Enforcement and Compliance Assistance

#### **Enclosures**

cc: Salvatore Carlomagno, Supervisor (w. Enclosures)

Hazardous Waste Compliance Unit

New York State Department of Environmental Conservation

NOV - 6 1998

## CERTIFIED MAIL RETURN RECEIPT REQUESTED

**NOTICE OF VIOLATION** 

Mr. John Sweeney, President Nelson Galvanizing, Inc. 11-02 Broadway Long Island City, New York 11106

Re:

Notice of Violation Nelson Galvanizing, Inc. EPA I.D. No. NYD001229350

Dear Mr. Sweeney:

This Notice of Violation ("NOV") is issued pursuant to Section 3008 of the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act ("RCRA") of 1976 and the Hazardous and Solid Waste Amendments ("HSWA") of 1984 42 U.S.C. § § 6901, 6928.

Section 3006(b) of the Act, 42 U.S.C. § 6926 provides that the Administrator of the U.S. Environmental Protection Agency ("EPA") may, if certain criteria are met, authorize a State to operate a hazardous waste program in lieu of the Federal program. The State of New York has received final authorization to administer its hazardous waste program in lieu of the Federal program. Section 3008(a) of the Act, 42 U.S.C. § 6928 authorizes EPA to enforce the provisions of the authorized State program.

Pursuant to RCRA, as amended by HSWA, the EPA promulgated rules, regulations, and standards governing the handling and management of hazardous waste as set forth in 40 C.F.R. Parts 260-272. For the purposes of this NOV, the hazardous waste regulations governing the generation of hazardous waste were promulgated in 1980 and amended by HSWA in 1984. This letter serves formally to notify you that you are in violation of RCRA § 3007. You have failed to respond to the RCRA § 3007 Information Request letter sent via certified mail, dated Sweeney, President of Nelson Galvanizing, Inc. You were given thirty (30) days from the date of receipt of the RCRA § 3007 Information Request Letter to respond to the questions posed in that letter. You have failed to do so and you have not sought an extension pursuant to the requisites outlined in that letter.

If you have not already done so, you must take immediate action to remedy the violation cited above. Please submit, a response to the requested information specific to the current and/or former operations of Nelson Galvanizing, Inc. Failure to comply and submit the documentation requested in this Notice of Violation subjects you and/or your company to the enforcement provisions of Section 3008 of RCRA, 42 U.S.C. § 6928. Your compliance with the requirements of this NOV in no way waives or compromises EPA's right to take further enforcement against your company for the above cited violation.

Please be advised that your facility is under the continuing obligation to comply with all the applicable state and federal regulations regarding the management of hazardous waste. Subsequently, if your facility should be found in violation of any of these regulations in the future, you may be subject to escalated enforcement actions, including, but not limited to, monetary penalties.

If you have any questions regarding this matter, please direct them to Mr. Philip Clappin at (212) 637-4129.

Sincerely yours,

Walter E. Mugdan, Acting Director

Division of Enforcement and Compliance Assistance

Enclosure

CC:

Salvatore Carlomagno, Supervisor Hazardous Waste Compliance Unit

New York State Department of Environmental Conservation

bcc:

Phil Clappin, (2DECA-RCB) Phil Flax, (2DECA-RCB) William K. Sawyer, ORC RCRA Files, (2OPM-ISS)

### LAB DATA MANAGEMENT SYSTEM - REGION II COMPLETED PROJECT APPROVAL

PROJECT NUMBER

PROJECT DATE

PROJECT NAME

REPORT DATE 98/11/16

876

98/07/23

NELSON GALVANIZING

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REPORT DATE: 98/11/16

#### COMPLETED ANALYSIS REPORT

PROJECT NO: 876

#### PROJECT NAME: NELSON GALVANIZING

#### EXPLANATIONS OF REMARK CODES

REMARK CODE	EXPLANATION
8   K   L   M   O   T   U	RESULTS BASED UPON COLONY COUNTS OUTSIDE ACCEPTABLE RANGE ESTIMATED VALUE ACTUAL VALUE KNOWN TO BE LESS THAN VALUE GIVEN ACTUAL VALUE KNOWN TO BE GREATER THAN VALUE GIVEN NO OBSERVABLE EFFECT CONCENTRATION < 0.3% SAMPLED BUT NOT ANALYZED DUE TO LAB ACCIDENT REPORTED VALUE LESS THAN CRITERIA OF DETECTION REPORTING LIMIT

#### QA/QC REMARK CODES

CODE	EXPLANATION
QD QE QF QJ QG QS QR QP QH QH	ACCURACY CHECK SAMPLE ABOVE UPPER ACCEPTANCE LIMIT ACCURACY CHECK SAMPLE BELOW LOWER ACCEPTANCE LIMIT PRECISION OF CALIBRATION CURVE LESS THAN ACCEPTANCE CRITERIA ESTIMATED DETECTION LIMIT DUE TO INTERFERENCE CONTINUING CALIBRATION CHECK DOES NOT MEET ACCEPTANCE CRITERIA SPIKE RECOVERIES ABOVE UPPER ACCEPTANCE LIMIT SPIKE RECOVERIES BELOW LOWER ACCEPTANCE LIMIT SAMPLE REPLICATE PRECISION DOES NOT MEET ACCEPTANCE CRITERIA RECOMMENDED HOUDING TIMES EXCEEDED TENTATIVELY IDENTIFIED COMPOUND PRESENCE OF MATERIAL VERIFIED BUT NOT QUANTIFIED
98	BLANK CONTAMINATED BY ANALYTE IN EXCESS OF ACCEPTANCE CRITERIA SAMPLE IMPROPERLY PRESERVED

LOCATION CODES FOR IDENTIFICATION OF SAMPLING POINTS AT INDUSTRIAL / SANITARY FACILITIES, LANDFILLS, HAZARDOUS WASTE SITES.

CODE NUMBERS	SAMPLING POINTS
1001 - 1050 1051 - 1099 1100 - 1249 1435 - 1454 15xx 2000 3000 - 3099 3100 - 3199 3200 - 3299 3300 - 3299 3400 - 3499 3500 - 3599 3600 - 3699 3700 - 3799	EFFLUENT PIPE NUMBER 001 TO 050 OTHER EFFLUENTS SUCH AS COOLING TOWER DISCHARGE, DISCHARGE FROM HOLDING PONDS, ETC IN PLANT SAMPLES SEPARATE INFLUENT POINTS/WATER SOURCES INFLUENT ASSOCIATED WITH EFFLUENT 10XX BLANK FOR VOLATILE ORGANICS GROUND WATER FROM WELL 01 TO 99 SEDIMENT SAMPLE (WATER BOTTOM) SOIL SAMPLE STREAM WATER SAMPLE LAGOON SAMPLE STORAGE TANK SAMPLE LEAGHATE SAMPLE LEAGHATE SAMPLE
3700 - 3799	OTHER TYPE SAMPLE

REPORT DATE: 98/11/16

#### COMPLETED ANALYSIS REPORT

PROJECT NO: 876

#### PROJECT NAME: NELSON GALVANIZING

DATE TIME STATION NO FROM OF TO DAY	LABNO PARNO PARAMETER NAME	UNITS CHEMISTRY	VALUE & QA/QC REMARK REMARK
NONE 98/07/23 1146 DEPTH: 0000 SUBSTRATE: OTHER DESCRIPTION: DRUM #1			
NONE 98/07/23 1151 DEPTH: 0000 SUBSTRATE: SLUDGE DESCRIPTION: DRUM #2	090110 99920 CORROSIVITY	PH	10.3
NONE 98/07/23 1153 DEPTH: 0000 SUBSTRATE: SLUDGE DESCRIPTION: DRUM #3	090111 99999 SILVER 99999 ARSENIC 99999 BARIUM 99999 CADMIUM 99999 CHROMIUM 99999 LEAD 99999 SELENIUM	MG/L TCLP MG/L TCLP MG/L TCLP MG/L TCLP HG/L TCLP HG/L TCLP HG/L TCLP	1 U 1 U 20 U 0.2 U 1 U 3.1 0.2 U
NONE 98/07/23 1156 DEPTH: 0000 SUBSTRATE: SLUDGE DESCRIPTION: DRUM #4	090112 99999 SILVER 99999 ARSENIC 99999 BARIUM 99999 CADMIUM 99999 CHRONIUM 99999 LEAD 99999 SELENIUM	MG/L TCLP MG/L TCLP MG/L TCLP MG/L TCLP MG/L TCLP MG/L TCLP MG/L TCLP MG/L TCLP	1 U 1 U 20 U 0.2 1 U 6.8 %
	090113 99999 SILVER 99999 ARSENIC 99999 BARIUN 99999 CADMIUM 99999 CHRONIUM 99999 LEAD 99999 SELENIUM	MG/L TCLP MG/L TCLP MG/L TCLP MG/L TCLP MG/L TCLP MG/L TCLP MG/L TCLP MG/L TCLP	1 U 1 U 20 U 0.2 U 1 U 1 U 0.2 U

#### PROJECT NO: 876

STATION NO FROM OF TO DAY

NONE 98/07/23 1159
DEPTH: 0000: SUBSTRATE: SLUDGE
DESCRIPTION: DRUM #5 - SLUDGE

NONE 98/07/23 1158
DEPTH: 0000 SUBSTRATE: OTHER
DESCRIPTION: DRUM #5 - LIQUID

NONE 98/07/23 1205
DEPTH: 0000 SUBSTRATE: SLUDGE
DESCRIPTION: DRUM #6

NONE 98/07/23 1212
DEPTH: 0000 SUBSTRATE: AQUEOUS
DESCRIPTION: ZINC AMMONIUM CHLORIDE TANK LIQUID

NONE 98/07/23 1216
DEPTH: 0000 SUBSTRATE: SLUDGE
DESCRIPTION: ZINC AMMONIUM CHLORIDE TANK SLUDGE

PROJECT NAME: NELSON GALVANIZING

LABNO PARNO PARAMETER NAME	UNITS	CHEMISTRY	VALUE & REMARK	qa/qc Remark
		·	٠	
			•	•
090114 99999 SILVER	MG/L	TCLP		
99999 ARSENIC	MG/L	TCLP	1 U 1 U	
99999 BARIUM	MG/L	TCLP	20 U	
99999 CADHIUM	MG/L	TCLP	0.2 U	
99999 CHROMIUM	MG/L	TCLP	1 0	
99999 LEAD	MG/L	TCLP	iŭ	
99999 SELENIUM	MG/L	TCLP	0.2 Ŭ	
090115 99920 CORROSIVITY	PH		2.2	
			2.2	•
090116 99999 SILVER	MG/L	T010		
99999 ARSENIC	MG/L MG/L	TCLP TCLP	1 0	٠,
99999 BARIUM	MG/L	TCLP	1 U 20 U	
99999 CADMIUN	HG/L	TCLP	0.2 U	
99999 CHRONIUN	NG/L	TCLP	1 11	•
9999 LEAD	MG/L	TCLP	5 9 17	4.
99999 SELENIUN	MG/L	TCLP	0.2 ປີ	•
090117 99920 CORROSIVITY	PH		4-0	
. · ·				
090118 99999 SILVER	MG/L	TCLP	1 U	
99999 ARSENIC	•	TCLP	1 0	
99999 BARTUN		TCLP	20 U	
99999 CADNIUM	MG/L	TCLP	0.2 U	
99999 CHROMIUM	MG/L	TCLP	1 0	

QA/QC REHARK

COMPLETED ANALYSIS	REPORT
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RT DATE: 98/11/16

4.2 0.2 U

> 1 U 1 U 20 U

1.1 7.6%

0.5 U

2.8

1 0

•.	COMPLETED ANALYSIS REPORT	REPORT DATE:
PROJECT NO: 876	PROJECT NAME: NELSON GALVANIZING	•
DATE TIME TION NO FROM OF TO DAY	LABNO PARNO PARAMETER NAME	VALUE & UNITS CHEMISTRY REMARK
: 98/07/23 1230 H: 0000 SUBSTRATE: OTHER RIPTION: SULFURIC ACID TANK - LIQUID	090118 99999 LEAD 99999 SELENIUM	MG/L TCLP 4.2 MG/L TCLP 0.2
	090119 99999 SILVER 99999 ARSENIC 99999 BARIUH 99999 CADMIUM 99999 CHROMIUM	MG/L TCLP 1 ( MG/L TCLP 1 t MG/L TCLP 20 t MG/L TCLP 1.1 MG/L TCLP サブビス

98/07/23 1234 H: 0000 SUBSTRATE: SLUDGE RIPTION: SULFURIC ACID TANK - SLUDGE

98/07/23 1222

H: 0000 SUBSTRATE: OTHER RIPTION: SODIUM HYDROXIDE TANK 090120 99999 SILVER 99999 ARSENIC MG/L TCLP 1 0 MG/L TCLP 1 U 99999 BARIUM MG/L TCLP 20 U 99999 CADHIUM MG/L TCLP 0.2 99999 CHRONIUM MG/L TCLP 1 0 99999 LEAD HG/L TCLP 1 U 99999 SELENIUM MG/L TCLP 0.2 U

090121 99920 CORROSIVITY

99999 LEAD

99999 SELENIUM

99920 CORROSIVITY

PH

MG/L

MG/L

MG/L

PH

TCLP

TCLP

TCLP

13.6 pr

\*\*\*\* END OF PROJECT \*\*\*\*